Town of Ross

Housing Element

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Introduction

Purpose of the Housing Element

Housing affordability in Marin County and in the Bay Area as a whole has become an increasingly important issue. This has a number of implications as it becomes more difficult to fill vacant jobs, roadways are clogged with workers traveling longer distances, and many young families, longtime residents, and other community members relocate because they can no longer afford to live in the community.

All California cities and counties are required to have a housing element included in their General Plan which establishes housing objectives, policies and programs in response to community housing conditions and needs. This Housing Element has been prepared to respond to current and near-term future housing needs in Ross. It contains updated information and strategic directions, including policies and specific actions, that the Town is committed to undertaking to address its housing needs.

Housing Element Requirements

Overview of State Law Requirements

State law establishes requirements for all portions of the General Plan. However, for the Housing Element, the State requirements tend to be more specific and extensive than for other elements. The purpose of a Housing Element is described in Government Code §65583:

> *"The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, and mobile homes, and shall make adequate provision for the existing and projected needs of all economic segments of the community."*

While local jurisdictions must review and revise all elements of their General Plan on a regular basis to ensure that they remain up to date, State law requires that Housing Elements be reviewed and updated at least every five years. The process of updating Housing Elements is initiated by the State through the regional housing needs process, as described later in this document. In 1988, the Town prepared and adopted a Housing Element in response to the State's regional housing needs determinations and in accordance with State law requirements at that time.

State law defines the topics that the Town of Ross Housing Element must cover. Specifically, the element must contain:

(1) "An assessment of housing needs and an inventory of resources and constraints relevant to meeting these needs . . ."

(2) "A statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing . . ." and

(3) "A program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, provision of regulatory incentives, and the utilization of appropriate federal and state financing and subsidy programs when available . . ."

Most importantly, the Housing Element must: (1) identify adequate sites with appropriate zoning densities and infrastructure to meet the community's need for housing, including its need for very low, low and moderate income households; and (2) address, and where appropriate and legally possible, remove governmental constraints to housing development.

The Five-Year Action Plan

In establishing housing programs, the Housing Element sets forth a "Five Year Action Plan" that details the actions, or "programs," that will implement the goals and policies of the Housing Element. For each program, the action plan must identify the agency responsible, the timeframe for implementation, and the number of units that will be constructed, rehabilitated or conserved, or number of households that will be assisted, as a result of the program.

Review of the Draft Housing Element by State HCD

State law requires that every updated Housing Element be submitted to the State of California's Department of Housing and Community Development (HCD) to ensure compliance with the State's minimum requirements. This certification process is unique among the General Plan elements.

Housing Elements are submitted twice to HCD for review and comment, once in draft form during development of the Housing Element and again after adoption of the Housing Element by the local jurisdiction. The first review period requires 60 days and must take place prior to adoption by the Ross Town Council. During the first review, HCD will submit comments back to the Town regarding compliance of the *draft* element with State law requirements and HCD guidelines. Modifications to the *draft* Housing Element in response to these comments are appropriate. The Town Council must consider HCD's comments prior to adoption of the Housing Element as part of the General Plan. The second review requires 90 days and takes place *after* adoption. It is after the second review that HCD submits written findings regarding compliance to the local government.

ABAG Regional Housing Needs Determinations

One unique aspect of State Housing Element law is the idea of "regional fair share." Every city and county in the State of California has a legal obligation to respond to its fair share of the projected future housing needs in the region in which it is located. For Ross and other Bay Area jurisdictions, the regional housing need is determined by the Association of Bay Area Governments (ABAG), based upon an overall regional housing need number established by the State for the Bay Area region.

Under State law, the housing need is divided into the four income categories of housing affordability described in Table 1. Table 1 summarizes the housing need determinations for all of the jurisdictions in Marin County. Ross's fair share of the regional housing need is a total of 21 units between January, 1999 and June, 2006 (0.3% of the Marin County total), with the following income breakdown: 3 units affordable to *very low income* households (14.3 %); 2 units affordable to *low income* households (9.5 %); 5 units affordable to *moderate income* households (23.8 %); and 11 units affordable to *above moderate income* households (52.4 %). By comparison, Ross's previous housing needs determinations were for a total of 14 units between 1988 and 1998. The Town approved a total of 18 units during this previous period.

Table 1: ABAG Housing Needs Determinations by Jurisdiction (January, 1999 to June, 2006)

Location	Very Low	Percent Need	Low	Percent Need	Moderate	Percent Need	Above Moderate	Percent Need	Total Need	Percent of County
Belvedere	1	10.0%	1	10.0%	2	20.0%	6	60.0%	10	0.2%
Corte Madera	29	16.2%	17	9.5%	46	25.7%	87	48.6%	179	2.7%
Fairfax	12	18.8%	7	10.9%	19	29.7%	26	40.6%	64	1.0%
Larkspur	56	18.5%	29	9.6%	85	28.1%	133	43.9%	303	4.7%
Mill Valley	40	17.8%	21	9.3%	56	24.9%	108	48.0%	225	3.5%
Novato	476	18.4%	242	9.4%	734	28.4%	1,130	43.8%	2,582	39.6%
Ross	**3**	**14.3%**	**2**	**9.5%**	**5**	**23.8%**	**11**	**52.4%**	**21**	**0.3%**
San Anselmo	32	21.5%	13	8.7%	39	26.2%	65	43.6%	149	2.3%
San Rafael	445	21.3%	207	9.9%	562	26.9%	876	41.9%	2,090	32.1%
Sausalito	36	17.4%	17	8.2%	50	24.2%	104	50.2%	207	3.2%
Tiburon	26	15.9%	14	8.5%	32	19.5%	92	56.1%	164	2.5%
Marin Unincorporate	85	16.3%	48	9.2%	96	18.4%	292	56.0%	521	8.0%
Marin County Total	1,241	19.0%	618	9.5%	1,726	26.5%	2,930	45.0%	6,515	100.0%

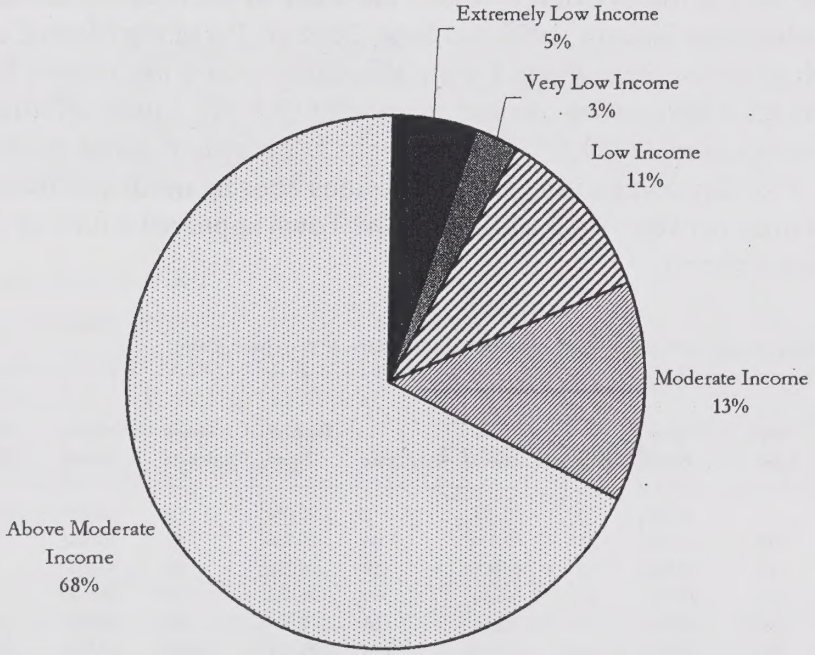
Source: Association of Bay Area Governments, "Housing Needs Determinations", 2000

Every Housing Element must demonstrate that the local jurisdiction has made adequate provisions to support the development of housing at the various income levels to meet its fair share of the regional housing needs. The ABAG Regional Housing Needs Determination figures for all jurisdictions in the Bay Area can be found on the ABAG website at http://www.abag.ca.gov. The most recent HCD income limits, by county and size of household, can be accessed online at http://www.hcd.ca.gov. Income limits are updated annually by the US Department of Housing and Urban Development (HUD) for

each county (see Table 2). For many State and local programs, HCD income eligibility limits are used. HCD income limits are similar to those used by HUD.

In 2000, it was estimated that 19% of Ross households fell into the extremely low, very low and low-income categories (Figure 1).

Figure 1: Estimated Distribution of Ross Households by Income Category (2000)



Housing Element Update Process

The Housing Element must identify community involvement and decision-making processes and techniques that are affirmative steps to generate input from low-income persons and their representatives as well as other members of the community. This means that input should be sought, received and considered before the Draft Housing Element is completed. Requirements for public participation are described in Section 65583(c)(6)(B) of the Government Code.

In preparation of the Draft Housing Element, the Town of Ross collaborated with various housing groups, community organizations and housing sponsors to develop the policies and programs that are detailed in the Housing Element. As a result of meetings with these

housing advocates, the Town endeavored to develop housing programs that realistically considered the limited institutional capacity and state and federal funding available for the type of small-scale affordable housing development needed in Ross. Thus, the programs developed in this element rely heavily on private and local government development of housing affordable to lower-income households.

In addition, the Town sought public review and comments during a community workshop hosted by the Ross Town Council intended to craft strategies to meet the Town's housing needs. Notices for all public meetings were sent to a mailing list including representatives of groups with special housing needs, low and very low income persons, and neighborhood residents. Groups invited to participate in a public review of the draft Housing Element included the Marin Continuum of Housing and Services, Legal Aid of Marin, Marin Consortium for Workforce Housing, Fair Housing of Marin, Marin Housing Authority, Ecumenical Association for Housing, The Cedars of Marin, MARC, the County of Marin Community Development Agency, the Housing Committee of the Marin County Commission on Aging, and the Marin Association of Realtors Housing Task Force.

The Town also conducted public outreach by making the Housing Element available for public review at the Planning Department offices in the Ross Town Hall. The Draft Element was posted on the Town's website to inform the public of the housing needs of the community and to generate feedback on the proposed housing policies and programs contained in the Housing Element. In addition, the Town sent press releases to the Marin Independent Journal, the Pacific Sun, and the Ross Valley Reporter announcing the public meetings dedicated to the review of the Housing Element and explaining how to obtain a copy of the draft Housing Element for review and comment. Several articles about the Housing Element and its proposed policies and programs appeared in the local media during the review period.

Housing Needs Analysis

Population and Employment

Projections

Marin County currently has a population of 247,289 people (100% count from the 2000 U.S. Census). Over the next 40 years, between 2000 and 2040, the California Department of Finance projects that Marin County as a whole will grow at an average annual rate of 0.5%, which amounts to about 1,220 people and 500 households per year countywide. The projections below are for Marin County and the Town of Ross. As can be seen in Table 2, the Town of Ross is expected to add 39 households over the next 20 years, an increase of 5%. An increase of 110 jobs in Ross is projected during the same time period.

Table 2: Bay Area, Marin County and Ross Planning Area Projections

Location	1995	2000	2005	2010	2015	2020	Change 2000-2020
Marin County							
Population	238,500	247,289	254,500	264,100	270,900	275,500	+28,211
Households	97,110	100,650	102,690	106,580	109,660	112,030	+11,380
Average Household Size	2.37	2.34	2.37	2.37	2.36	2.35	0.01
Employed Residents	128,000	140,955	145,300	154,200	159,000	161,700	+20,745
Jobs	112,290	122,960	129,290	137,630	146,930	155,160	+32,200
Employed Residents/Job	1.14	1.15	1.12	1.12	1.08	1.04	-0.10
Percent of Bay Area Populati	3.7%	3.6%	3.5%	3.5%	3.5%	3.4%	-0.2%
Percent of Bay Area Jobs	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	0.0%
Jobs/Household	1.16	1.22	1.26	1.29	1.34	1.38	+0.16
Ross Planning Area							
Population	2,250	2,329	2,380	2,420	2,440	2,460	+131
Households	740	761	770	780	790	800	+39
Average Household Size	2.92	2.94	2.96	2.97	2.96	2.95	+0.01
Mean Household Income	$204,400	$304,100	$312,700	$322,900	$351,800	$362,000	+$57,900
Employed Residents	900	1,015	1,040	1,070	1,090	1,100	+85
Jobs	1,200	1,230	1,240	1,270	1,310	1,340	+110
Jobs/Household	1.62	1.62	1.61	1.63	1.66	1.68	+0.06
Employed Residents/Job	0.75	0.83	0.84	0.84	0.83	0.82	+0.00
Percent of County Populatio	0.94%	0.94%	0.94%	0.92%	0.90%	0.89%	-0.05%
Percent of County Jobs	1.1%	1.0%	1.0%	0.9%	0.9%	0.9%	-0.14%

Source: Association of Bay Area Governments, "Projections 2002"

Population Trends

The greatest increases in population age groups over the next 40 years are expected to be elderly and young adult households, which tend to have the lowest income levels. According to the 2000 U.S. Census, 23.5% of all households in Marin County are age 65 or older. In Ross, the percentage of households age 65 or older is slightly higher, at 26.3% of all households.

The Marin Commission on Aging (MCA) predicts significant increases in Marin's elderly population. By the year 2020, according to MCA, one out of every three Marin residents will be 60 years of age or older. MCA predicts this age group will nearly double in size from 40,000 to 74,000 persons by 2020. In addition, three out of four individuals of the "oldest old", 85 years of age or greater, are expected to be women.

Housing Types

The majority of residential units in Ross are detached single family homes, comprising about 98% of the total housing stock. In 2000, 775 of the 792 housing units in Ross were single family detached units. The percentage of single family homes is substantially higher than those found in the surrounding jurisdictions in Marin County. This is primarily a result of the historic pattern of development in Ross. The town originated in the early 1900s as a community of summer homes. Most of Ross has been built out since the 1970s. Housing by type in various jurisdictions is shown below.

Table 3: Number and Percent of Single and Multiple Family Homes

Jurisdiction	Single Family	Percent	Multi-Family	Percent	Total
Belvedere	899	86%	150	14%	1,049
Corte Madera	3,113	80%	793	20%	3,906
Fairfax	2,405	74%	860	26%	3,265
Larkspur	2,775	44%	3,530	56%	6,305
Mill Valley	4,565	73%	1,694	27%	6,259
Novato	14,680	73%	5,453	27%	20,133
Ross	**775**	**98%**	**17**	**2%**	**792**
San Anselmo	4,127	77%	1,241	23%	5,368
San Rafael	12,525	55%	10,347	45%	22,872
Sausalito	2,009	45%	2,422	55%	4,431
Tiburon	2,561	68%	1,229	32%	3,790
Marin Unincorporated	22,201	82%	4,886	18%	27,087
Marin County Total	72,635	69%	32,622	31%	105,257

Source: California Department of Finance, 2000

Household Characteristics

Household Types

The Bureau of the Census defines a household as all persons who occupy a housing unit, including families, single people, or unrelated persons. There were 761 households in Ross in 2000, of which 82 percent were families, 13 percent were single person households, and 5% were comprised of unrelated people. About 40% of the single person households were comprised of individuals age 65 or over. Household types are shown in Table 4.

Table 4: Households By Type By Jurisdiction (2000)

Jurisdiction	Family Households	*Family Age 65+*	Single Person Households	*Single Person Age 65+*	Non-Family Household (2+ persons)	*Non-Family Age 65+*	Total Households	*Total HH Age 65+*
Belvedere	657	*247*	258	*146*	41	*16*	956	*409*
Corte Madera	2,472	*536*	937	*296*	367	*60*	3,776	*892*
Fairfax	1,813	*252*	1,029	*245*	464	*43*	3,306	*540*
Larkspur	2,901	*758*	2,650	*903*	591	*71*	6,142	*1,732*
Mill Valley	3,420	*699*	2,098	*761*	629	*99*	6,147	*1,559*
Novato	12,419	*2,379*	4,661	*1,714*	1,444	*158*	18,524	*4,251*
Ross	**626**	***146***	**97**	***40***	**38**	***14***	**761**	***200***
San Anselmo	3,191	*559*	1,511	*386*	565	*60*	5,267	*1,005*
San Rafael	12,776	*2,785*	7,187	*2,446*	2,408	*222*	22,371	*5,453*
Sausalito	1,663	*326*	1,945	*331*	646	*58*	4,254	*715*
Tiburon	2,408	*623*	1,026	*351*	278	*43*	3,712	*1,017*
Marin Unincorporated	16,333	*3,520*	6,642	*1,994*	2,459	*327*	25,434	*5,841*
Marin County Total	60,679	*12,830*	30,041	*9,613*	9,930	*1,171*	100,650	*23,614*

Source: 2000 U.S. Census

According to the 2000 Census, the average household size in Marin County was 2.34 persons, and the average household size in Ross was 2.94 persons. The countywide average household size is expected to increase to 2.37 by 2005 before declining to 2.35 by 2020 (see Table 2). Ross's average household size is projected to increase slightly to 2.96 persons in 2005 and then to drop to 2.95 persons in 2020. Ross's average household size is significantly higher than those found in other jurisdictions because of the predominance of single family residences in the town. In addition, the school system in Ross has an excellent reputation, and a significant number of families with children choose to locate in the Town as a result.

Housing Tenure

Tenure refers to whether a housing unit is rented or owned. According to the 2000 census figures, there were 64,024 owner-occupied units in Marin County (61 percent of all units) and 36,626 renter-occupied units (35 percent of the total) in the year 2000. This is an increase in the percentage of owner-occupied units in comparison to 1990 (when 59 percent were owner-occupied and 36 percent were rented), which also reflects that a higher proportion of single family homes were built as compared to multi-family units. Ross has the highest rate of homeownership in the County, with 82% of the units being

owner-occupied and 12% being renter-occupied. The homeownership rate has declined over the past ten years from 88%, while the rental rate has increased from 6%. This trend may reflect the increasing mobility of the workforce, especially at the executive level, which tends to encourage short-term rentals over longer-term homeownership.

Table 5: Housing Units by Tenure by Jurisdiction (1990 and 2000)

	1990				2000			
	Renter	Owner	Vacant	Total	Renter	Owner	Vacant	Total
Belvedere	223	741	73	1,037	239	717	103	1,059
Percent	22%	71%	7.0%	100%	23%	68%	9.7%	100%
Corte Madera	1,087	2,490	140	3,717	1,038	2,738	74	3,850
Percent	29%	67%	3.8%	100%	27%	71%	1.9%	100%
Fairfax	1,250	1,842	133	3,225	1,275	2,031	112	3,418
Percent	39%	57%	4.1%	100%	37%	59%	3.3%	100%
Larkspur	2,811	2,911	243	5,965	3,081	3,061	271	6,413
Percent	47%	49%	4.1%	100%	48%	48%	4.2%	100%
Mill Valley	2,072	3,883	178	6,133	2,121	4,026	139	6,286
Percent	34%	63%	2.9%	100%	34%	64%	2.2%	100%
Novato	6,947	11,289	546	18,782	6,009	12,515	470	18,994
Percent	37%	60%	2.9%	100%	32%	66%	2.5%	100%
Ross	**45**	**679**	**51**	**775**	**98**	**663**	**44**	**805**
Percent	**6%**	**88%**	**6.6%**	**100%**	**12%**	**82%**	**5.5%**	**100%**
San Anselmo	1,766	3,364	195	5,325	1,751	3,516	141	5,408
Percent	33%	63%	3.7%	100%	32%	65%	2.6%	100%
San Rafael	9,240	11,055	846	21,141	10,346	12,025	577	22,948
Percent	44%	52%	4.0%	100%	45%	52%	2.5%	100%
Sausalito	2,103	1,990	285	4,378	2,166	2,088	257	4,511
Percent	48%	45%	6.5%	100%	48%	46%	5.7%	100%
Tiburon	1,107	2,166	170	3,443	1,121	2,591	181	3,893
Percent	32%	63%	4.9%	100%	29%	67%	4.6%	100%
Unincorporated	7,364	16,581	1,891	25,836	7,381	18,053	1,971	27,405
Percent	29%	65%	7.4%	102%	27%	66%	7.2%	100%
Total County	36,015	58,991	4,751	99,757	36,626	64,024	4,340	104,990
Percent	36%	59%	4.8%	100%	35%	61%	4.1%	100%

Source: California Department of Finance; U.S. Census, 2000; Baird + Driskell

Vacancy Rate Trends

The vacancy rates for housing in Marin County, as indicated by the 1990 and 2000 census reports, have decreased since 1990 when the census recorded a vacancy rate of 4.7 percent. In 2000, the total vacancy rate was recorded at 4.1 percent. However, the effective vacancy rate for rental housing units is 2.2 percent, which excludes units that are unavailable as long term rentals. As shown in Table 6, Ross has the highest effective vacancy rate of all jurisdictions at 5.8 percent. Typically, a 5.0 percent rental vacancy rate is considered adequate to permit ordinary rental mobility. In 2000, there were just 6 units for rent and 3 units for sale at the time of the survey. Countywide, the rental vacancy rate is most likely much tighter for units affordable to very low and low income households.

Table 6: Vacancy Status for Vacant Housing Units by Jurisdiction (2000)

	For Rent	*Effective Vacancy % for Rentals*	For Sale	Rented or Sold/Not Occupied	Seasonal/ Occasional/ Rec Use	For Mirgrant Workers	Other Vacant	Total Vacant	Vacancy Rate for All Units
Belvedere	10	*4.0%*	4	11	59	0	19	103	9.7%
Corte Madera	20	*1.9%*	9	9	14	1	21	74	1.9%
Fairfax	42	*3.2%*	13	8	27	0	22	112	3.3%
Larkspur	70	*2.2%*	18	18	94	0	71	271	4.2%
Mill Valley	36	*1.7%*	24	20	28	0	31	139	2.2%
Novato	151	*2.5%*	120	75	51	0	73	470	2.5%
Ross	**6**	***5.8%***	**3**	**3**	**11**	**0**	**21**	**44**	**5.5%**
San Anselmo	34	*1.9%*	9	19	31	0	48	141	2.6%
San Rafael	181	*1.7%*	108	40	111	0	137	577	2.5%
Sausalito	68	*3.0%*	12	36	106	0	35	257	5.7%
Tiburon	36	*3.1%*	18	23	77	0	27	181	4.6%
Unincorporated	152	*2.0%*	86	138	1,293	5	297	1,971	7.2%
Total County	806	*2.2%*	424	400	1,902	6	802	4,340	4.1%

Source: U.S. Census, 2000; Baird + Driskell

Overcrowding

The U.S. Census defines overcrowded housing as units with more than one inhabitant per room, excluding kitchens and bathrooms. According to 2000 census data, there are 8 owner occupied units (1%) with overcrowded conditions and no overcrowded renter occupied units in Ross. None of the units are considered to be severely overcrowded with 2 or more persons per room. The incidence of overcrowding has increased since 1990, when there were no overcrowded units in Ross. In Marin County, the rate of overcrowding is significantly higher with 1% of owner occupied units and 10% of renter occupied units reported as overcrowded.

Housing Costs, Household Income, and the Ability to Pay for Housing

Household Income

Income is defined as wages, salaries, pensions, social security benefits, and other forms of cash received by a household. Non-cash items, such as Medicare and other medical insurance benefits, are not included as income. It is generally expected that people can afford to pay about a third of their income on housing. Housing cost includes principal, interest, property taxes and insurance. It is therefore critical to understand the relationship between household income and housing costs to determine how affordable—or unaffordable—housing really is.

Figures 2 and 3 below show current households in Ross by age of head of household and income category. While middle age households (35-54 years of age) comprise the majority of households in Ross, proportionately the most significant low income housing need is in younger households (under 34) and seniors (65 years plus).

Figure 2: Estimated Distribution of All Households in Ross by Age and Income (2000)

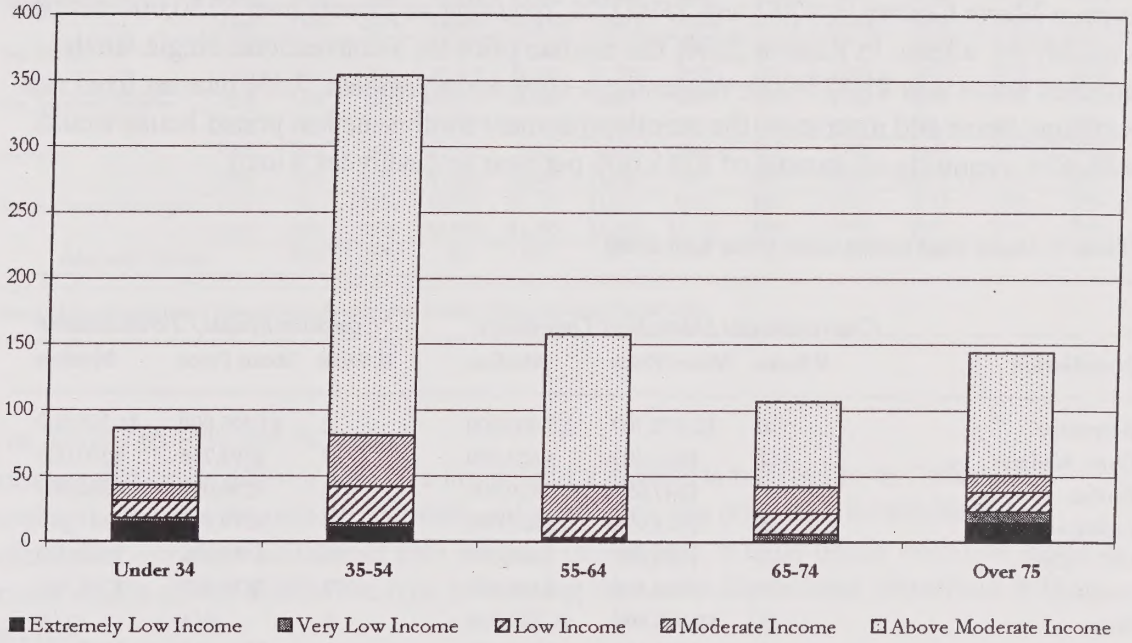
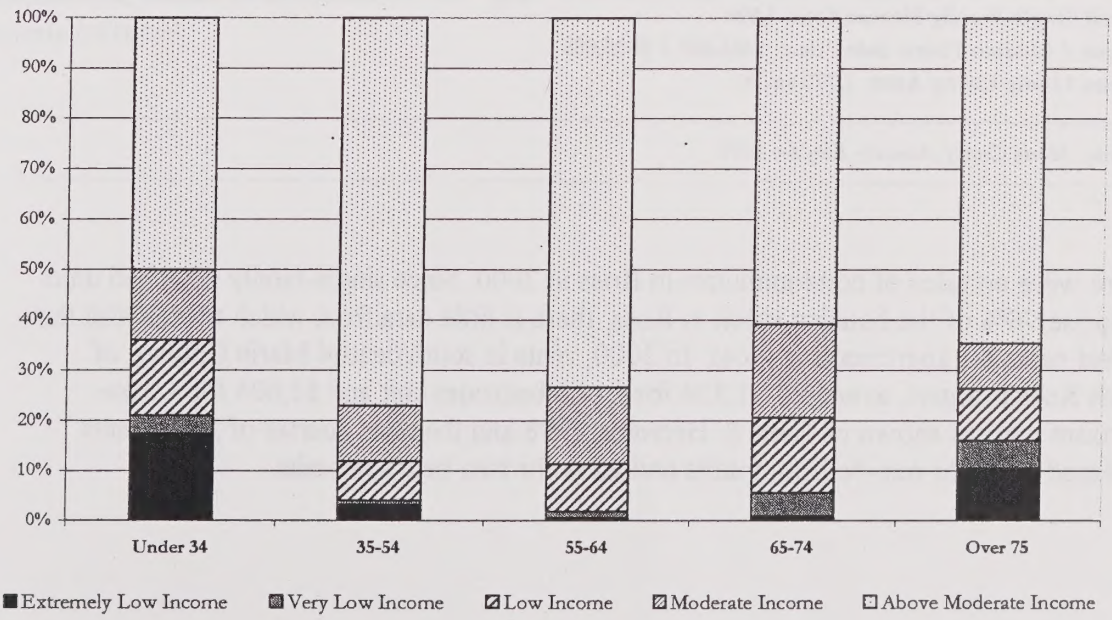


Figure 3: Estimated Income Distribution of Ross Households by Age (2000)



Sales Prices and Rents

From 1993 to 2000 the median home sales price in Marin County increased from $314,250 to $523,000. As shown in Table 7, the median price for a single family detached home in Marin County in 2000 was $599,000, requiring an income over $150,000 per year to qualify for a loan. In Ross in 2000, the median price for a conventional single family detached home was $1,325,000. Assuming a 10% down payment, 7.5% interest fixed rate mortgage, taxes and insurance, the monthly payment for this median priced house would be $8,624, requiring an income of $345,000 per year to qualify for a loan.

Table 7: Marin Real Estate Sales (Year End 2000)

	Conventional Detached Dwellings			*Condominiums/Townhouses*		
Jurisdiction	**# Sales**	**Mean Price**	**Median**	**# Sales**	**Mean Price**	**Median**
Belvedere	30	$2,372,707	$2,000,000	2	$1,305,000	$1,305,000
Corte Madera	111	$661,609	$625,000	47	$391,755	$390,000
Fairfax	95	$447,680	$429,000	13	$298,038	$283,000
Larkspur	95	$815,018	$820,000	64	$379,799	$347,500
Mill Valley	167	$994,050	$800,000	55	$455,026	$425,000
Novato	628	$526,263	$478,560	372	$274,863	$274,863
Ross	**25**	**$1,465,800**	**$1,325,000**	**0**	**n/a**	**n/a**
San Anselmo	166	$583,111	$549,000	4	$306,625	$289,000
Sausalito	85	$1,237,091	$1,025,000	59	$467,339	$411,500
San Rafael	480	$640,239	$562,500	287	$325,084	$270,000
Tiburon	115	$1,610,295	$1,300,000	37	$790,669	$675,000
Unicorporated	861	$830,685	$657,000	101	$441,667	$400,000
Marin County Total	2,858	$772,354	$599,000	1,041	$357,781	$315,000

Total Single Family Homes Sold: 3,899
Mean / Median Home Sale Price: $661,667 / $523,000
Mean Home Living Area: 1,772 sq. ft.

Source: Marin County Assessor - Recorder, 2001

There were no sales of condominiums in Ross in 2000. Since single-family detached units comprise 98% of the housing stock in Ross, there is little data from which to establish fair market rents for apartments in Ross. In 2000, rents in south central Marin County, of which Ross is a part, averaged $1,334 for a one-bedroom unit and $1,604 for a two-bedroom unit, as shown in Table 8. Between 1998 and the third quarter of 2000, rents increased 23% for one-bedroom units and 22% for two-bedroom units.

Table 8: "Apartment for Rent" Rent Survey (1992-2000)

Location	#BR	1 yr. (+/-)	2 yr. (+/-)	2000 3rd Qrtr	1999 Year Avg.	1998 Year Avg.	1997 Year Avg.	1996 Year Avg.	1995 Year Avg.	1994 Year Avg.	1993 Year Avg.	1992 Year Avg.
Sausalito/Tiburon	*1 BR*	13%	18%	$1,670	$1,477	$1,416	$1,181	$1,106	$1,036	$956	$970	$957
	2 BR	12%	20%	$2,231	$1,984	$1,852	$1,664	$1,405	$1,400	$1,330	$1,250	$1,270
South Central	***1 BR***	**13%**	**23%**	**$1,334**	**$1,182**	**$1,081**	**$933**	**$837**	**$811**	**$784**	**$770**	**$775**
	2 BR	**13%**	**22%**	**$1,607**	**$1,425**	**$1,321**	**$1,191**	**$1,074**	**$1,003**	**$962**	**$945**	**$931**
San Rafael	*1 BR*	11%	22%	$1,117	$1,006	$919	$824	$740	$704	$683	$675	$671
	2 BR	9%	18%	$1,403	$1,288	$1,189	$998	$914	$860	$842	$815	$818
San Anselmo/Fairfax	*1 BR*	15%	23%	$1,175	$1,026	$955	$849	$779	$726	$698	$701	$687
	2 BR	9%	24%	$1,427	$1,309	$1,149	$994	$874	$841	$814	$833	$828
Novato	*1 BR*	13%	22%	$1,119	$988	$916	$759	$719	$705	$681	$651	$670
	2 BR	18%	31%	$1,420	$1,205	$1,083	$971	$885	$823	$809	$797	$788
Marin County Average	*1 BR*	7%	17%	$1,205	$1,125	$1,031	$881	$807	$753	$733	$736	$733
	2 BR	10%	17%	$1,588	$1,445	$1,354	$1,133	$988	$943	$935	$907	$922
Ads/week Marin		-61%	-55%	40	103	89	74	92	161	182	221	184

Source: Michael Burke, Frank Howard Allen Realtors, from Sunday Marin Independent Journal data

The Ability to Pay for Housing

Housing that costs 30% or less of a household's income is referred to as "affordable housing." Because household incomes and sizes vary, the price that is considered "affordable" for each household also varies. For example, a large family with one small income might afford a different type of housing than a double-income household with no children.

Tables 9 and 10 indicate the rents and home prices that households at various income levels could be expected to pay if they were to spend 30 percent of their income on housing. The exact amount that they could pay would, of course, depend on the amount of down payment they could afford and the specific terms of their mortgage. These are rough calculations, meant to demonstrate the "gap" between market prices and affordability at various incomes.

Table 9: Estimate of the Ability to Pay for Sales Housing in Ross (2001)

Household Size and Income Category	Monthly Income	Annual Income	"Rule of Thumb" Home Price at Four Times Annual Income	Median Priced Single Family Detached Unit	Gap Between "Rule of Thumb" Price and Median SFD Unit
Single Person					
Extremely Low Income	$1,638	$19,650	$78,600	$1,325,000	-$1,246,400
Very Low Income	$2,338	$28,050	$112,200	$1,325,000	-$1,212,800
Low Income	$3,738	$44,850	$179,400	$1,325,000	-$1,145,600
Median Income	$0	$0	$0	$1,325,000	-$1,325,000
Moderate Income	$5,608	$67,300	$269,200	$1,325,000	-$1,055,800
Two Persons					
Extremely Low Income	$1,871	$22,450	$89,800	$1,325,000	-$1,235,200
Very Low Income	$2,671	$32,050	$128,200	$1,325,000	-$1,196,800
Low Income	$4,271	$51,250	$205,000	$1,325,000	-$1,120,000
Median Income	$0	$0	$0	$1,325,000	-$1,325,000
Moderate Income	$6,408	$76,900	$307,600	$1,325,000	-$1,017,400
Four Persons					
Extremely Low Income	$2,338	$28,050	$112,200	$1,325,000	-$1,212,800
Very Low Income	$3,338	$40,050	$160,200	$1,325,000	-$1,164,800
Low Income	$5,342	$64,100	$256,400	$1,325,000	-$1,068,600
Median Income	$0	$0	$0	$1,325,000	-$1,325,000
Moderate Income	$8,008	$96,100	$384,400	$1,325,000	-$940,600

Source: Baird + Driskell/ Community Planning; Marin County Assessor - Recorder, 2001

Table 10: Estimate of the Ability to Pay for Rental Housing in Ross (2000)

Household Size and Income Category	Monthly Income	Rent @ 30% of Monthly Income	Expected Unit Size	Average Rent (3rd Qtr 2000)	Ability to Pay "Gap" for Smaller Unit
Single Person					
Extremely Low Income	$1,638	$491	1 BR	$1,334	-$843
Very Low Income	$2,338	$701	1 BR	$1,334	-$633
Low Income	$3,738	$1,121	1 BR	$1,334	-$213
Median Income	$0	$0	1 BR	$1,334	-$1,334
Moderate Income	$5,608	$1,683	1 BR	$1,334	$349
Two Persons					
Extremely Low Income	$1,871	$561	1 BR	$1,334	-$773
Very Low Income	$2,671	$801	1 BR	$1,334	-$533
Low Income	$4,271	$1,281	1 BR	$1,334	-$53
Median Income	$0	$0	1 BR	$1,334	-$1,334
Moderate Income	$6,408	$1,923	1 BR	$1,334	$589
Four Persons					
Extremely Low Income	$2,338	$701	2 BR	$1,607	-$906
Very Low Income	$3,338	$1,001	2 BR	$1,607	-$606
Low Income	$5,342	$1,603	2 BR	$1,607	-$5
Median Income	$0	$0	2 BR	$1,607	-$1,607
Moderate Income	$8,008	$2,403	2 BR	$1,607	$796

Source: Baird + Driskell/ Community Planning; Michael Burke, Frank Howard Allen Realtors (3rd Quarter 2000)

According to the 2000 U.S. Census, 49% of Ross households spend 30% or more of their household income on housing. Of renter households, 36% were reported as overpaying for housing. Half of all owner households overpay for housing. The incidence of overpayment is detailed in Table 11 below. Among very-low income households, 91% of renters (or 29 households) were reported as overpaying for housing, and 87% of owners (or 109 households) were overpaying. The incidence of over-paying is generally lower among low-income households. Twenty-one percent of low-income renters (or 3 households) were reported as overpaying, while 42% of low-income owners (or 41 households) were overpaying. Moderate income households also had significant rates of overpayment.

Table 11: Estimated Households Overpaying for Housing by Income Categories

	Very-Low Income			Low-Income			Moderate Income		
	Number of Households	Number Overpaying	Percent of Households	Number of Households	Number Overpaying	Percent of Households	Number of Households	Number Overpaying	Percent of Households
Renters	32	29	91%	14	3	21%	10	7	70%
Owners	92	80	87%	98	41	42%	97	69	71%
Total	124	109	88%	112	44	39%	107	76	71%

Source: U.S. Census 2000; Baird+Driskell/ Community Planning

Special Housing Needs

In addition to overall housing needs, Ross must plan for housing to meet the special need of the local workforce, seniors, people living with disabilities, farmworkers, the homeless, people with HIV/AIDS and other illnesses, people in need of mental health care, single parent families, single persons with no children, and large households. The discussion that follows in this section of the Housing Element analyzes special housing needs. Table 12 provides a summary breakdown of special needs households in Ross based on the 2000 U.S. Census.

Table 12: Summary of Special Needs Households in Ross

	Owner Households	Renter Households	Total Households or Persons
Households			
Overcrowded Households	8	0	8
Senior Households	179	6	185
Female Headed Households	112	32	144
Large Households	103	14	117
Persons			
Persons Living with Disabilities			249
Farmworkers			0
Ross's "Share" of Estimated Countywide Homeless Population			27

Source: U.S. Census, 2000; Marin Continuum of Housing and Services (2001)

Because of its relatively small size, the town necessarily draws upon the resources, agencies, and programs of Marin County to help meet these needs. Special needs housing stock is 54.7% of all the established deed-restricted affordable housing units throughout Marin County. Based on Continuum of Housing and Services data, one out of five (20% of) very low income housing units should be for special needs.

There is a range of housing for special needs: independent living (owning or renting), assisted living (licensed facilities), supportive housing, transitional housing, and finally emergency shelters. Further, the vast majority of special needs housing is service enriched. In other words, services are offered to residents to help them maintain independent living as long as possible.

The Marin Housing Authority (MHA) administers several special needs housing programs throughout Marin County. The Section 8 Payment Program provides certificates to house 4,917 people in 1,859 units. The waiting list for Section 8 housing is opened annually and a lottery process determines who will be awarded vouchers. Demand far outstrips

available certificates. In spring of 2000, 2,486 households submitted applications for the Section 8 program. The Shelter Plus Care Program provides 65 rental subsidies linked with supportive services to 78 individuals who are homeless with a mental health disability. Lastly, there are 98 rental subsidies for 114 people living with HIV/AIDS that are served through the Housing Opportunities for People with Aids Programs (HOPWA). Additional programs offer services to specific special needs populations housed through Marin Housing Authority which assist tenants in maintaining their housing. These programs target services to frail seniors, families striving toward self-sufficiency, and at-risk populations with substance abuse and/or mental health disability.

Table 13: Programs Administered by Marin Housing Authority (2000)

Type of Housing Program	Ross	Countywide
Section 8 Rental Assistance	0	1,859
Conventional Public Housing	0	496
MHA-Owned Rental Housing	0	83
Rebate for Marin Renters	0	64
Mortgage Credit Certificates	0	268
Residential Rehabilitation Loans	3	533
Shelter Plus Care	0	65
Housing Assistline	0	2,174
Housing Opportunities for People with AIDS (HOPW	0	114
Rental Deposit Guarantees	0	91

Source: Marin Housing, 2001

Seniors

Senior households can be defined, in part, by the age distribution and demographic projections of a community's population. This identifies the maximum need for senior housing. Particular needs, such as the need for smaller and more efficient housing, for barrier-free and accessible housing, and for a wide variety of housing with health care and/or personal services should be addressed, as should providing a continuum of care as elderly households become less self-reliant. There is a dramatic increase in dementia as people reach 75 years of age, resulting in a significant need in Marin for dementia care facilities or opportunities for seniors to remain with their families in "granny" or "in-law" second units. There is also a need for housing where an "in-home" caregiver can reside.

Table 14: Number of Households Headed by Seniors (2000)
(Householder Age 65 or More)

	Renter Households	Owner Households	Total Senior Households
Belvedere	90	297	387
Percent	23%	77%	40%
Corte Madera	63	752	815
Percent	8%	92%	22%
Fairfax	121	379	500
Percent	24%	76%	15%
Larkspur	666	974	1,640
Percent	41%	59%	27%
Mill Valley	431	1,040	1,471
Percent	29%	71%	24%
Novato	751	3,029	3,780
Percent	20%	80%	20%
Ross	**6**	**179**	**185**
Percent	**3%**	**97%**	**24%**
San Anselmo	129	803	932
Percent	14%	86%	18%
San Rafael	1,100	3,892	4,992
Percent	22%	78%	22%
Sausalito	148	509	657
Percent	23%	77%	15%
Tiburon	170	768	938
Percent	18%	82%	25%
Unincorporated	771	4,538	5,309
Percent	15%	85%	21%
Total County	4,446	17,160	21,606
Percent	21%	79%	21%

Total senior households percentage is the percentage of ALL households

Source: U.S. Census, 2000

As shown in Table 14, there are currently 185 households in Ross headed by a person age 65 or more. Of those, 97% own their home and 3% are renters. According to the 2000 U.S. Census, there are 17 seniors living below the poverty level in Ross. With the overall aging of society, as described earlier, the senior population (persons over 65 years of age) is expected to increase in Ross. Consequently, the need for affordable and specialized housing for older residents will grow. Typical housing to meet the needs of seniors includes smaller attached or detached housing for independent living (both market rate and below market rate), second units, shared housing, age-restricted subsidized rental developments, congregate care facilities, licensed facilities, and skilled nursing homes. Many seniors in Ross are most likely "over housed," or living in a home far larger than they need or want, and with appropriate affordable housing options a significant number

of seniors would be more willing to vacate their own homes for smaller units, increasing housing options for families.

Most of the licensed facilities in Marin will no longer take low and very low income seniors. Average basic rent is currently about $3,500 per month for a single bed (room, bathroom, and three meals/day). For a couple, the costs are greater. Additional personal care is another cost above the basic charge. There are currently about 400 units of senior market rate assisted living facilities in the pipeline in Marin County that have been approved. The Marin County Public Guardian's Office must place very frail and very low income seniors in other counties due to the lack of availability of affordable assisted living in Marin County. Thus, the lack of very low income beds in Marin has also resulted in high cost expenditures by Marin County Department of Health and Human Services for out of county placements.

Many supportive housing developments for the elderly have been built in the county using HUD's Section 202 and 202/8 programs, which provide direct loan financing. Non-profit organizations have been instrumental in obtaining the resources to construct and operate the developments, but housing authorities and for-profit developers are also potential development project sponsors.

Large Families

Large households, defined as households with five or more persons, tend to have difficulties purchasing housing because large housing units are rarely affordable and rental units with three or more bedrooms are not common. The 2000 Census data (see Table 15) show that 7% of Marin's households were "large families," i.e., five people or more. The Census data show that slightly over half (57.4%) of larger households in the County live in owner-occupied units. In Ross, there are 117 large households, which comprise 15% of all households. Of those, 88% are owner-occupied households and 12% are renters. The higher incidence of large households in Ross, as compared to other jurisdictions in Marin County, is attributed to the predominance of single family residences in the town as previously discussed.

For above-moderate income households, Ross's housing stock offers a choice of housing to large families. It is likely that there is a shortage of larger affordable units, which continues to be a factor throughout Marin today, especially the lack of larger rental units.

Table 15: Number of Large Households (2000)
(Households with Five or More Persons)

	Renter Households	Owner Households	Total Large Households
Belvedere	10	33	43
Percent	23%	77%	4%
Corte Madera	50	176	226
Percent	22%	78%	6%
Fairfax	32	87	119
Percent	27%	73%	4%
Larkspur	42	144	186
Percent	23%	77%	3%
Mill Valley	68	208	276
Percent	25%	75%	4%
Novato	697	920	1,617
Percent	43%	57%	9%
Ross	**14**	**103**	**117**
Percent	**12%**	**88%**	**15%**
San Anselmo	30	184	214
Percent	14%	86%	4%
San Rafael	1,471	637	2,108
Percent	70%	30%	9%
Sausalito	4	24	28
Percent	14%	86%	1%
Tiburon	43	170	213
Percent	20%	80%	6%
Unincorporated	447	1,231	1,678
Percent	27%	73%	7%
Total County	2,908	3,917	6,825
Percent	43%	57%	7%

Total large households percentage is the percentage of ALL households

Source: U.S. Census, 2000

People Living with Physical and Mental Disabilities

People living with disabilities represent a wide range of different housing needs, depending on the type and severity of their disability as well as personal preference and life-style. The design of housing, accessibility modifications, proximity to services and transit, and group living opportunities represent some of the types of considerations and accommodations that are important in serving this need group. Incorporating barrier-free design in all new multifamily housing is especially important to provide the widest range of choice. Doing so is also required by the California and Federal Fair Housing laws. Special consideration should also be given to the issue of income and affordability, as many people with disabilities may be in fixed income situations.

The 2000 U.S. Census reported 249 individuals age 21-64 with a disability, accounting for 19.5% of the population. Over half of these people (52.2%) are not employed. In addition, there are 65 disabled seniors in Ross, comprising 21.8% of people over age 65.

As the population ages, handicapped-accessible housing will become even more necessary. Consideration can be given to handicapped dwelling conversion (or adaptability) and appropriate site design. Buckelew, Allegria, MARC and the Marin Center for Independent Living serve people living with disabilities in the county. The Marin Center for Independent Living, for example, serves approximately 4,000 people a year throughout Marin County. Most of their clients live under the poverty level, the average client earning about $7,200 a year.

There is one residential care facility serving developmentally disabled adults in Ross. The Cedars of Marin has been operating in Ross since 1919 and has most recently housed 78 residents at the facility. The Cedars is currently in the process of renovating its dormitory-style accommodations in order to provide private and semi-private bedrooms to its clients. Two existing buildings will be demolished and a new 14,180 square foot building will be constructed, increasing the size of the facility by 435 square feet. The current use permit provides for a maximum of 60 residents if some rooms provide double-occupancy and 48 residents if all rooms are single occupancy. The proposed plans have been reviewed and approved by the Town of Ross's Americans with Disabilities Act consultant.

Chapter 671, Statutes of 2001 (Senate Bill 520) requires localities to analyze potential and actual constraints upon the development, maintenance and improvement of housing for persons with disabilities and to demonstrate local efforts to remove governmental constraints that hinder the locality from meeting the need for housing for persons with disabilities. In addition, as part of the required constraints program, the element must include programs that remove constraints or provide reasonable accommodations for housing designed for persons with disabilities.

The Town has reviewed all of its zoning laws, policies and practices for compliance with fair housing laws and has found them to be in compliance with the Americans with Disabilities Act (ADA). While the Town has not developed formal housing policies or programs for the disabled population, Ross provides reasonable accommodation for persons with disabilities with respect to zoning, permit processing and building laws and makes this information available to the public. Most publicly-owned facilities in the Town have been retrofitted so that they are fully accessible to disabled residents. Where accessibility may impede a disabled person's ability to participate in a public meeting, the Town provides reasonable accommodation with 48 hours notice.

As a small community, the Planning and Building Departments of Ross are able to provide personalized service to each resident. Requests to modify homes to meet the needs of the disabled are handled on a case-by-case basis, with staff working closely with applicants to accommodate their needs. The Town administratively approves building permits for wheelchair ramps, wheelchair lifts and elevators. Wheelchair ramps are not considered to

be structures under the Ross Zoning Code and are not required to meet setbacks. The Town Council has the authority to modify parking standards to accommodate the needs of the disabled and has demonstrated its willingness to do so in the past. In 2002, the Council approved an expansion and remodel of the Cedars of Marin, a 48-unit residential care facility for the developmentally disabled, with reduced parking requirements. The Town approved the development with only 15 on-site parking spaces and permitted the Cedars to utilize on-street parking for their additional parking needs.

The Town does not restrict the siting of group homes nor require a minimum distance between them. Group homes with under 7 occupants are permitted by right in single family residences and the Town does not have any occupancy standards in the zoning code that apply specifically to unrelated adults. New or significantly remodeled group homes are required to go through the design review process, as is any residential development, and obtain Town Council approval.

The Building Department administers Title 24 provisions consistently for all disabilities-related construction and responds to complaints regarding any violations. The Town has not adopted any amendments to the Uniform Building Code that conflict with the ADA. There are no restrictions on lowered countertops, widened doorways, adjustable showerheads, or other adaptations that meet the needs of the disabled.

While the Town has consistently demonstrated its ability and willingness to comply with the ADA and to provide reasonable accommodation for the disabled, the Housing Element contains policies and implementing programs to ensure reasonable accommodation and equal access to housing for people with disabilities in the Town's zoning, permit processing and building codes. In implementation of this policy, the Town will designate an ADA Coordinator to ensure the Town's compliance with the provisions of the ADA and to serve as the primary contact for disabled residents with questions, concerns, and requests regarding reasonable accommodation procedures and practices.

Single Parent and Female-Headed Households

Female-headed households may need affordable housing with day care and recreation programs on-site or nearby, in proximity to schools and access to services. These households, like many large households, may have difficulty in finding appropriately sized housing. Despite fair housing laws, discrimination against children may make it more difficult for this group to find adequate housing. Women in the housing market, including but not limited to, the elderly, low and moderate income earners and single parents, face significant difficulties finding housing. Both ownership and rental units are extremely expensive relative to the incomes of many people in this demographic.

According to the 2000 U.S. Census there are 144 households headed by a female in Ross, accounting for 19% of all households in the town. Of these households, 112 are owner-occupied and 32 are renter-occupied. There are 33 single female parents with children

under the age 18. The Census identified seven of these households as below the poverty level.

Farmworkers

State law requires that housing elements evaluate the needs of farmworker housing in the local jurisdiction. ABAG did not assess the regional need for additional farmworker housing in the Bay Area. According to the 2000 U.S. Census, there are no Ross residents employed in farming, fishing, or forestry occupations.

Individuals and Families Who Are Homeless

Individuals and families who are homeless have perhaps the most immediate housing need of any group. They also have one of the most difficult sets of housing needs to meet, due to both the diversity and complexity of the factors that lead to homelessness, and to community opposition to the siting of housing that serves homeless clients.

Homeless people face the ultimate housing deprivation. The homeless population in California is estimated at approximately one percent of the state's total population, a third of which consists of homeless families. Homeless circumstances vary considerably. Homelessness and near-homelessness is an important countywide concern. The key findings of a 2001 study conducted under the Marin Continuum of Housing and Services (a collaboration of over twenty Marin organizations providing housing and related services) were as follows:

(1) Nearly 7% of Marin County households live below the poverty level and about one-quarter of the people living below poverty are children.
(2) Approximately 3.5% of Marin's population was either homeless or in imminent risk of becoming homeless at some point in 2001.
(3) 1,909 households comprising 2,885 people were homeless in Marin at some point in 2001, with 689 of those being children (24%).
(4) 2,413 households comprising 5,768 people were at imminent risk of losing their housing during 2001.
(5) Over one third of homeless and at-risk households were families with children.
(6) 30% of the homeless and at-risk households were working families. Household incomes averaged $922 per month (16% of the median income).
(7) 3,051 Marin children were either homeless or at imminent risk of homelessness in 2001.

Homelessness is a countywide issue that demands a strategic, countywide approach that pools resources and services. Based upon Ross's proportional population (.94% of the County's total population), Ross's "share" of the homeless population should number 18 households, which would be comprised of 27 individuals. However, there has been no visible homelessness in Ross. The Ross Police Department verifies that there have not been situations of people occupying parks, streets, or other public facility for shelter.

Because Ross is not situated along any regional public transportation routes and provides no shelters or services for the homeless, persons who become homeless in Ross would go elsewhere. Most homeless people gravitate towards San Rafael because it has transportation and social services. Given the lack of available land and resources to provide services in Ross, the town relies upon programs such as New Beginnings to provide for a continuum of care for Marin County's homeless, including emergency shelters, transitional housing, supportive housing and permanent housing. The Town plans to address the needs of people at risk of homelessness by encouraging more affordable housing and expanding the number of second units in Ross.

Government Code Section 65583(C)(1)(a) states that cities must identify adequate sites for emergency shelters and transitional housing through appropriate zoning and development standards. While emergency shelters and transitional housing are not expressly prohibited in the Ross Zoning Ordinance, these uses are not specifically identified in the regulations governing any zoning district. An amendment to the Zoning Ordinance is proposed to permit emergency shelters and transitional housing in the Civic (C-D) district with approval by the Town Council. Currently, allowable uses in this district include town hall, libraries, museums, fire and police stations, auditoriums, schools, and park and recreational uses. No specific development standards exist in the district. An emergency shelter or transitional housing development would not be subject to any processing requirement other than Town Council approval. No special use permit findings or requirements would be established.

As part of this zoning amendment, definitions of "emergency shelter" and "transitional housing" would be added to the Zoning Ordinance. According to Health and Safety Code Section 50801, shelters are facilities with "minimal supportive services for homeless persons and are limited to occupancy of six months or less by a homeless person." Transitional housing is "housing with support services for up to 24 months that is exclusively designed and targeted for recently homeless persons."

"At Risk" Housing

Government Code Section 65583 requires each city and county to conduct an analysis and identify programs for preserving assisted housing developments. The analysis is required to identify any low income units that are at risk of losing subsidies over the next 10 years. Based on a study in 2001 conducted by Barbara Collins, Marin County Affordable Housing Strategist, there were then 3,226 deed restricted affordable housing units in Marin County. There are currently an additional 1,597 proposed units in various stages of the development process. For planning purposes, deed restrictions for 33.1% of the established affordable housing stock will expire in the next 15 years. There are, however, no deed-restricted housing units in the Town of Ross.

Housing Opportunities and Constraints Analysis

Evaluation of the Current Housing Element

Introduction

State Housing Element law requires an evaluation of the achievements of the Town's housing goals, policies and programs adopted in the current Housing Element.
Three major areas of consideration must be addressed through the evaluation process and reflected in the updated Housing Element:

- **Appropriateness of Goals, Objectives, and Policies** (65588(a)(1)). A description of how the goals, objectives, policies, and programs of the updated element incorporate what has been learned from the results of the prior element.

- **Effectiveness of the Element** (65588(a)(2)). A review of the actual result of the earlier element's goals, objectives, policies and programs. The results should be quantified where possible (e.g., rehabilitation results) but may be qualitative where necessary (e.g., mitigation of governmental constraints).

- **Progress in Implementation** (65588(a)(3)). An analysis of the significant differences between what was projected or planned in the earlier element and what was achieved.

Housing Goals and Policies of the 1988 Housing Element

The themes of the Ross General Plan are to: (1) retain Ross's small-town character; (2) protect the high quality and fragile natural environment; and (3) preserve and enhance the historical character and design scale of the Town's residential areas. Within this context, there are a number of guiding policies in the 1988 General Plan Housing Element to address housing issues and needs. These are related to affordable housing, housing for people with special needs, residential and neighborhood conservation, access to housing, and residential energy conservation. The housing goals and policies adopted in the 1988 Housing Element are reprinted in Table 16.

Table 16: Housing Goals and Policies

Goals

H-A
Consistent with the Town's land use goals, attempt to meet the housing needs of all economic segments of the community.

H-B
Conserve the existing quantity and quality of housing.

Policies

H-1: Housing Discrimination
Promote equal opportunity in the housing market for all persons regardless of race, ethnic background, religion, marital status, sex, age, disability, sexual preference or family composition, and refer to the appropriate county, state or other agencies for action when necessary to prevent discrimination.

H-2: Housing Rehabilitation
Help implement appropriate programs for conserving and rehabilitating the viable older housing in the Town which preserves and enhances community character and, where possible, retains low and moderate-income units.

H-3: Housing Conditions
Protect residents and maintain the housing by enforcing the Building and Fire Code for all types of residential units.

H-4: Second Units
Allow voluntary delivery of rental housing through well-designed secondary residential units in appropriate locations where there is an owner-occupant living in the principal unit.

H-5: Subsidized Rental Housing
Encourage rental subsidy programs administered by the Marin County Housing Authority that can be applied to existing housing.

H-6: Inclusionary Requirement
Residential projects of 10 or more lots or units shall be required to provide at least 15% of the units affordable to low and moderate income households. The Town will coordinate with the Marin County Housing Authority in establishing eligibility requirements, resale controls, and other special requirements in implementing this policy.

H-7: Ross General Hospital Site
The 2 acre portion of the Ross General Hospital site located in the Town of Ross is designated for higher density residential use (15 to 20 units per acre). If the entire property is annexed to the Town of Ross, the policies and programs in the General Plan shall apply to the entire site. The site will be rezoned to a higher density or planned district classification, with final density to be established after complete analysis of site constraints and compliance with the development standards of this plan to be done as part of the development application review process.

The Town will offer incentives as part of the Town's review of the development application if additional low and moderate income units are provided over and above those required under the Town's inclusionary requirement. Those incentives include density bonuses over 15 units per acre up to but not exceeding 20 units per acre, fast-track processing and reduction or waiver of some fees. The Town will also explore ways of using appropriate federal or state financing programs or non-profit housing assistance to reduce the costs of the units. Any programs that provide below market rate housing should guarantee the long-term affordability of the units through resale deed restrictions or other means. Any re-use of the site for institutional use shall not increase traffic above its current level, and provision of adequate parking must be ensured. Location and traffic conditions suggest that an ideal re-use would be housing for low and moderate income seniors.

Source: Town of Ross General Plan, 1988

Goal H-A: To meet the housing needs of all economic segments of the community. The 1988 Housing Element established housing policies and programs to enable the Town to meet its fair share of housing requirements as determined by the Association of Bay Area Governments (ABAG). Table 17 reports Ross's results in meeting its fair-share housing needs from 1988-1998. Eighteen new housing units were approved during the period, exceeding the requirements by four units. Of these, eleven were single-family detached homes and seven were caretaker's units. Additionally, the Town issued use permits for one existing second-unit and three existing caretaker's units. Caretaker's units are accessory dwellings designed for and used by persons regularly employed on the property. Since the property owner is not permitted to charge rent, these units are potentially available to very-low income households. In preparation of this Housing Element, the Town conducted a survey of all property owners who had been issued Use Permits for caretaker's units since 1988. Of the ten identified caretaker's units, four are currently being occupied by very low and low income households. The remaining units, including three that had been occupied in the past five years, are not being counted in this analysis. Based upon prevailing rental rates, the approved second unit is assumed to be affordable to a moderate income household.

Table 17: Affordable Housing Units Built or Approved in Ross (1988-1998)

	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total Units
Approved Units	2	2	1	11	16
ABAG 1988-1998 Need	2	2	2	8	14
Percent ABAG Need Me	100%	100%	50%	138%	114%

Source: Housing Need Determinations, ABAG, September 1988 Town of Ross Planning Department

What Can Be Learned: Caretaker units are an important source of affordable housing in Ross. Up to 70% of the units have been providing verifiable affordable housing for very low and low income households over the past five years. In addition, the Town's caretaker unit policy serves to effectively link jobs and housing, thereby reducing traffic and other environmental effects. Although vacancy rates may fluctuate based upon the needs of the owners, caretaker units have the distinct advantage of providing affordable housing for lower income households without substantial government administration and regulations, or any government funding or subsidies. In consideration of this important source of workforce housing, the Town should consider amending zoning ordinance references to "caretaker units" and "servant's quarters" and renaming these units "on-site employee housing." In order to expand the availability of this type of housing, the policy should stipulate that employees must work on-site in exchange for free rent, but that they may also have off-site jobs. For reporting purposes, the Town may also require owners of

caretaker units to annually document the use of the unit and the income category of the occupant(s).

Goal H-B: Conserve the existing quantity and quality of housing.
To protect existing housing stock, the Town adopted a demolition ordinance in 1993 which required the Town Council to approve the demolition of any residence. This ordinance was amended in 1998 to specifically discourage projects that reduce the number of housing units in the Town. Since 1998, no residences have been demolished without a replacement unit being built.

The economic boom of the 1990s resulted in tremendous development pressure from property owners wishing to expand their residences. Overbuilding on lots changes the Town's character and results in the loss of homes affordable to moderate income households. During the 1990s, the Town of Ross worked to preserve the existing diversity of housing sizes by enforcing floor area ratio (FAR) guidelines and by requiring units with non-conforming FARs to remain within their existing floor area ratio during reconstruction.

The economic boom of the 1990s also resulted in pressure to develop vacant hillside lots in Ross. Hillside lots present a number of environmental and aesthetic challenges. Without proper restrictions, new structures on hillsides can be highly visible and can negatively impact the natural setting so important to the character of the town. Seismic stability and drainage plans also become key issues. In order to prevent environmental degradation, yet allow for the orderly development of these lots, the Town has a hillside lot ordinance. This ordinance provides additional regulations and standards for development on lots with slopes above 30%. Since eleven new single family homes were approved between 1988 and 1998 (including lots regulated under the Town's hillside ordinance), and ABAG requirements for above moderate housing were exceeded, the ordinance does not appear to have negatively restricted the development of the town's remaining sites.

What Can Be Learned: Ross should continue implementation of its demolition and hillside ordinances. The Town could consider revisions to the hillside ordinance in order to encourage the development of second units on these sites consistent with other hillside ordinance criteria. The Town could also consider revisions to the demolition ordinance to require findings that a proposed demolition does not adversely affect the Town's ability to meet its fair share requirements as determined by ABAG.

Policy H-1: Housing Discrimination
The Town planned to promote equal opportunity in the housing market by disseminating information on fair housing law and referring people to the appropriate county, state, or other agency for action when necessary. No fair housing complaints have been brought to the attention of the Town. The Town posted information regarding fair housing in the Town Hall and the Post Office and distributed brochures. At the time of updating the Housing Element, the town replenished its stock of brochures and reposted information at the Post Office and Town Hall.

What Can Be Learned: The Town could ensure the continued implementation of fair housing activities and practices by assigning specific job responsibilities to the Planning Director. The Director would act as the designated liaison with Fair Housing of Marin, the Marin Housing Authority, and the U.S. Department of Health and Urban Development (HUD) Office of Fair Housing and Equal Opportunity in San Francisco. The Director would be responsible for maintaining current fair housing information at appropriate locations, and would also be charged with investigating and referring complaints to the appropriate legal service or county or state agency as necessary.

Policy H-2: Housing Rehabilitation and Policy H-3: Housing Conditions
The Town has instituted several changes to its zoning ordinance since the adoption of the 1988 Housing Element in order to conserve the existing quantity and quality of housing. In 1993, the Town adopted design review guidelines. Design review approval is now required on all new housing units and on any addition of 200 square feet or more to existing units. The design review process established by the guidelines provides an opportunity for design issues to be discussed and reviewed early in the development process, thus easing the development process. The design review process has also helped to ensure that the housing units are updated on an on-going basis.

The Town has focused on updating the existing housing stock by placing requirements on housing additions/remodels and by requiring correction of code violations when a property is sold. A Report of Residential Building Records must be completed prior to listing any residence for sale in Ross. Building code and use violations are noted on the report and must be corrected within four months of the date of sale.

Given the vintage nature of the housing stock in Ross, there are always some homes in Ross that require upgrading and/or repair. However, the housing stock is generally in very good condition, as the high value of residential real estate in Ross makes improvements a prudent investment. Also, the economic boom of the past decade enabled many homeowners to make upgrades and repairs to their houses. The 1988 Housing Element estimated that about 3% of the total housing units in Ross, or 30 homes, were in need of some type of rehabilitation, with few needing replacement. Currently, it is estimated that 1% of the housing stock, or approximately 10 homes, is in need of rehabilitation and none are in need of replacement.

In 2000, three Ross residents received subsidized residential rehabilitation loans through the Marin Housing Authority.

What Can Be Learned: The Town should continue to require building code and use upgrades through the design review process and the residential building record report program. It should continue to work with the Marin Housing Authority to promote below market rate rehabilitation loans for those owners who might qualify. The Town could consider ways in which to disseminate information on subsidized rehabilitation loans,

especially to the low-income seniors and families identified in the Housing Needs Analysis section of this Housing Element who may be in need of low-cost funds for house repair.

H-4: Second Units

The 1988 Housing Element sought to allow the delivery of rental housing through the provision of second units. Second units also offer flexibility for the homeowner. They can be used as home offices, as apartments for au-pairs or other domestic workers, as rental units to generate income, or as housing for elderly parents. The Town has not had success promoting the development of second units. Between 1988 and 2002, the Town issued only two use permits for second units.

There has, however, been community-wide interest in adding living units to existing properties. During this same time frame, the Town issued use permits for 13 guesthouses and 11 servants' quarters. Use permits for servants' quarters expressly prohibit those units from being rented and require that they only be occupied by those regularly employed on the property. Some of these units, as well as other undocumented second units, are being rented illegally.

Property owners are apparently avoiding obtaining second unit use permits because the existing second unit ordinance is too restrictive. The second unit ordinance restricts the new construction of a second unit to 10% of the primary house; as an example, a 3,000 square foot house would be limited to adding an additional 300 square feet to the house in order to build a second unit. The second unit ordinance further requires that the unit be attached to the primary dwelling and applies the same parking requirements as a full-size single family home.

What Can Be Learned: The current second unit ordinance appears to be severely constraining the development of second units. Amendments to the Town's second unit regulations mandated by 2002's Assembly Bill 1866 (Wright), forwarded to the Town Council by the Planning Commission at their July 10, 2003 meeting will, however, ease the creation of new second units and allow for the legalization of existing illegal second units. The proposed ordinance contains standards similar to those found in other jurisdictions in Marin County where second unit development has been successful, including: (1) allowing for the non-discretionary ministerial review of residential second units applications; (2)setting a maximum residential second unit size of 700 square feet.; (3) reducing the parking requirement to one off-street parking space for a second unit; and (4) providing a process for the legalization and registration of second units that are currently illegal.

Policy H-5: Subsidized Rental Housing

The 1988 Housing Element calls for working with existing county programs, specifically those administered by the Marin Housing Authority (MHA), to meet the need for housing rental and rehabilitation assistance for low-income households in the community. Given the size of the community and the limited staff resources, the Town concluded that it was appropriate to pool resources with other small towns, support the County in its efforts to

meet housing needs for the larger community, and utilize the expertise and resources found at the County level. The Town has had limited success in encouraging and participating in rental subsidy programs. Currently, there are no Ross residents receiving Section 8 rental assistance. The Town indirectly participates in the Community Development Block Grant (CDBG) program by allowing the County to use Ross population in applying to the state for CDBG funds. These funds are distributed by a committee to various housing projects and programs that provide housing for low- and moderate-income households throughout the county.

What Can Be Learned: The Town could take a more proactive role in working with the Marin Housing Authority and other agencies in order to fund and encourage affordable housing programs in Ross and throughout the county. The Town should sign a cooperation agreement with the Marin Housing Authority to enable the agency to provide Section 8 vouchers for Ross units. The Town should then encourage Ross homeowners to accept Section 8 certificates and sign a contract with MHA. The Town could also contribute to the Rebate for Marin Renters program, a local program that provides rent subsidies to households in Marin, in an amount proportional to the Town's share of the county's population. The Town should continue its participation in the Community Development Block Grant program and should encourage the use of state and federal housing program funds within its jurisdiction.

Policy H-6: Inclusionary Requirement

As stated in the 1988 Housing Element, the Town of Ross implemented an inclusionary requirement for all projects of 10 or more units. However because no projects of 10 or more units have been approved since 1988, there have been no opportunities to impose this requirement.

What Can Be Learned: Given the scarcity of available sites and the lack of a multi-family zoning district in Ross, it is highly unlikely that any affordable units will be created under the inclusionary requirement in the future. The Town should rely on other policies and programs to increase the supply and availability of affordable housing, including the conversion, legalization, and new development of second units, the creation of more caretaker's units, and the development of deed-restricted, affordable units on appropriate sites. The Town could also consider adopting an in-lieu housing fee for all residential and commercial development in order to provide funding for affordable housing.

Policy H-7: Ross General Hospital Site

The Town's General Plan and Housing Element of 1988 provided for the portion of the Ross General Hospital located within the Town of Ross to be designated for higher density residential development at a density of 15 to 20 units per acre. A contemplated high-density project of approximately 100 units, to have been sited partially on the Ross land and largely on the 5-acre portion of the site within Marin County, raised strenuous public objections related to environmental impacts, traffic issues, and project design. The County of Marin Board of Supervisors and the Ross Town Council subsequently agreed to significant reductions in residential density for the site. The Town of Ross Housing

Element and General Plan were amended in 1991, designating the site as low density (1-3 units per acre). As a part of the development agreement, the County of Marin received a small parcel that is currently available for affordable housing development of up to four units.

What Can Be Learned: Although the 2-acre parcel designated for affordable housing does not lie within the Town's sphere of influence, the Town should advocate for the development of high-density, affordable housing on this site. Since the Ross General Hospital Site was the last suitable site for multi-family housing, the Town should actively pursue opportunities to build affordable housing units wherever possible and to permit mixed use development in areas currently zoned for commercial use. The Land Inventory section of this element identifies two Town-owned properties along with the Marin Art & Garden Center and the Branson School as properties having potential for the development of new affordable housing units. The Town should further investigate these possibilities and utilize the experience of the Marin County Housing Assistance Strategist and other affordable housing advocates to facilitate the process, address the concerns of the neighbors, and ensure the long-term affordability of units provided.

Recommendations

The 1988 Housing Element resulted in a number of positive changes to the Town's ordinances and regulations. In general, the goals, policies, and programs in the Housing Element have provided a comprehensive set of actions to meet the Town's affordable housing needs and provide a diversity of housing types. The entire General Plan, including this revised Housing Element, reaffirms the following Town goals by: (1) acting as a guide for municipal decisions which affect the quality and quantity of housing; (2) maintaining housing growth within limits of available sites and services; and (3) maintaining Ross's present quality of life by balancing the availability of housing with other environmental considerations.

Further changes to the Housing Element are recommended to help the Town meet its housing goals and meet its fair share of housing needs as designated by ABAG. An important aspect of successful Housing Elements is the willingness on the part of local government to take on a more proactive role in implementing housing programs. Actions to provide sufficient sites in Ross with potential for meeting the Town's housing needs, especially for very low and low income households, include General Plan Amendment and rezoning actions in addition to the Town's involvement in facilitating construction of affordable housing in coordination with non-profit housing sponsors and other agencies.

The following specific changes are recommended based on a review of the current Housing Element:

1. Amend the Second Unit Ordinance
    a. The current ordinance requires that the unit be attached to the primary unit. Allow the unit to be attached or detached and provide for non-discretionary ministerial approval.
    b. The current ordinance requires that new construction for a second unit not exceed 10% of the primary residence. The ordinance should be amended to permit a second unit up to 700 square feet.
    c. By reference, the current ordinance requires that 2 parking spaces be provided, one of which must be in a permanent roofed structure. Require one off-street parking space for the unit.

2. Establish an amnesty program for illegal second units, and encourage the development of additional second units and caretaker's units through fee waivers and ordinance amendment.

3. Facilitate the development of housing units affordable to very low, and low, and moderate income households at Town-owned properties, the Marin Art & Garden Center, and the Branson School.

4. Consider requiring development projects not providing second units and caretaker's units to contribute to a housing trust fund through the implementation of in-lieu housing fees.

5. Amend the zoning ordinance to permit mixed-use development in commercial zoning districts.

6. Establish a more proactive role on the part of the Town in funding, utilizing and promoting existing governmental and private programs to help meet the housing needs of very low, low, and moderate income households in the community.
    a. Sign a cooperating agreement with the Marin Housing Authority in order to enable the agency to provide Section 8 vouchers to households seeking rental housing in Ross.
    b. Contribute to the annual budget of the Rebate for Marin Renters program administered by the Marin Housing Authority in an amount proportional to the Town's share of the county's population.

Potential Non-Governmental Constraints and Opportunities

State law requires an analysis of potential and actual governmental and non-governmental constraints to the maintenance, improvement, and development of housing for all income levels. The Housing Element must identify ways, if any, to reduce or overcome these constraints in order to meet Ross's housing needs.

Land Costs

The price of housing has risen since the late 1970's at a much faster rate than household income. Contributing factors are the costs of land, materials, labor, financing, fees and associated development requirements, sales commissions, and profits. Another factor is the increasing perception of housing as a commodity for speculation.

In Ross, the cost to custom-build a single family detached house can exceed $400 per square foot. Development costs in Ross are higher than in comparable communities because most remaining lots have problems with steep slopes, irregular topography, accessibility, and other environmental concerns. The technical and engineering costs of dealing with these factors on remaining undeveloped are likely to be particularly high because these sites have been skipped over precisely because of the difficulty and high cost of development.

Vacant land within the Town of Ross is very limited and is estimated to comprise only 1% of the Town's land area. In addition, land costs in Ross are among the highest in Marin County because of the perceived desirability of the community. Costs for vacant land vary considerably depending upon site amenities, topography, location, and building constraints. A 2003 appraisal valued a buildable acre on Sir Francis Drake Blvd., where street noise and traffic are buyer concerns, at approximately $1,000,000, while an acre of prime, level land in more desirable sections of the town could cost more than $3,000,000. Since the demand for housing in Ross is very high, the value of potential residential land is increasing and has become a substantial factor in the cost of providing housing.

Infrastructure Availability

Public infrastructure is generally sufficient to meet projected growth demands. Electric, gas, and telephone services have capacity to meet additional projected need. Water districts have sufficient projected supply to meet demand under non-drought conditions, and sanitary sewer districts have adequate capacity to treat wastewater for the service area. Infrastructure, services and utilities needs for future development are addressed in the Town of Ross General Plan. They do not represent a constraint to development as policies and programs are in place to assure that infrastructure and services will adequately serve new development. The large lot zoning that applies to hillside parcels takes into account infrastructure constraints for serving them.

Financing

Financing for above moderate or market rate housing is not restrained for those who can qualify. It is difficult, however, for homebuyers without capital or equity to qualify for financing without exceptionally high incomes. The median price for a house in Ross was $1,325,000 in 2000. Assuming a 10% down payment and an interest rate of 7.5%, the monthly payment for the median priced home would be $8,624, requiring an income of $345,000 to qualify for the loan.

Due to the high cost of housing in Ross and the County of Marin, deep subsidies are needed to make housing affordable to low and moderate income households. To make projects feasible, developers must rely on a variety of federal, state, and local funding and

financing sources. Competition for available funding is fierce and is expected to grow more intense in light of current and projected government deficits. In addition, many funding sources generally favor high-density projects, a condition that is difficult to meet in Ross considering the limited supply of sites suitable to multi-family housing.

There are a wide variety of resources provided through federal, state and local programs to support affordable housing development and related programs and services. The single largest, though often least recognized, federal program is mortgage interest tax deduction, estimated at $54 billion in 1996 for the entire nation. The California Housing Plan (2000) reports that federal assistance for affordable housing was only $17.2 billion nationwide during the same year. This assistance was primarily used to maintain and operate the existing supply of affordable housing. Outlays for new construction were considerably lower.

California localities receive federal subsidies for affordable housing through a number of programs. Like state programs, federal programs often change in terms of program details, application procedures, and amount of subsidy dollars available. State agencies also play an important role in providing housing assistance by allocating federal housing funds and/or making loans available to affordable housing developments. The three principal agencies involved are the State Treasurer's Office, the California Housing Finance Agency (CHFA), and the California Department of Housing and Community Development (HCD).

Local government resources, which have historically played a less important role in supporting housing development, now play a fairly significant role by making local developments more competitive for federal and state financing. There is considerable competition for the program funds that are available, and any one development is likely to need to draw upon multiple resources to be financially feasible. When developments are able to demonstrate a financial commitment and contribution from local sources, especially if coupled with regulatory support through policies such as fast-track processing, fee waivers, and/or density bonuses, they are better able to *leverage* funding from outside sources.

Additionally, all funding sources require separate reporting and data collection. When multiple funding sources are used, as is usually necessary, additional burdens are placed on developers with limited staffing to track the information required and report on a timely basis.

Community Concerns

Opposition to high-density housing has contributed to the Town's inability to fully meet its fair share of affordable housing needs. As discussed previously, the Town's vacant parcel most suitable for high density and multi-family development was the two-acre portion of the Ross General Hospital site. A contemplated high-density project there raised strenuous public objections and only two lots were ultimately approved for the portion of the site in Ross.

Given the high level of involvement that residents have with new development in Ross, it is important that the Town work to provide information regarding the importance of meeting the housing needs of the larger community and to be creative about how these housing needs could be met. High quality design and involvement of the neighbors in the design process can greatly reduce opposition to a project from neighboring residents. The Town's design review guidelines facilitate neighborhood participation and help to ensure that design issues are addressed early in the process. The Town should also utilize the expertise of local nonprofit housing developers, housing advocates, and County staff in addressing resident concerns. In particular, the Town should seek advice and help from the Marin Consortium for Workforce Housing, an organization that was established to build public understanding and support for workforce housing. The Consortium focuses public concern on potential environmental impacts, quality of design, and the quality of long-term management of the project.

Potential Governmental Constraints and Opportunities

Ross is approximately 1.6 square miles in area. This limited size constrains opportunities for additional housing development. As with other towns, Ross's development standards and requirements are intended to protect the long-term health, safety, and welfare of the community.

The Town regulates the use of land within its borders through the Ross General Plan, zoning ordinance, and the Uniform Building Code. In addition to defining zoning classifications in Ross, the zoning ordinance establishes specific guidelines and standards for design review, demolition of structures, development of hillside lots, and second units. These locally imposed land use and building requirements can affect the type, appearance, and cost of housing built in Ross. Like all local jurisdictions, the Town of Ross charges fees and has a number of procedures and regulations it requires any developer to follow.

Land Use Regulations

The Town of Ross is comprised predominantly of single-family detached housing. The Town's development standards contained in the general plan and zoning ordinance are necessary to protect and preserve the existing housing stock and to ensure the orderly development of hillside sites. Generally, Ross's zoning ordinance permits housing at lower densities than are allowed elsewhere in Marin County. This is primarily due to the significant environmental constraints on vacant lots in Ross and the historic low-density development pattern that was well-established by the 1950s. The existing zoning ordinance, along with the design review, subdivision, second unit, hillside, and demolition ordinances, were designed to protect the natural environment and preserve the existing character of the town. Table 18 shows current zoning districts and standards.

Table 18: Town of Ross Zoning Standards

Zone	Classification	Lot Requirements Area (sf)	Lot Requirements Width (ft)	Building Coverage	Setbacks (ft) Front	Setbacks (ft) Side	Setbacks (ft) Rear	Building Height (ft)	Density (Units/Acre)	Parking Requirements
R-1	Single Family	5,000	50	20%	25	15	40	30	8.7	2 (1 must be covered)
R-1: B-6	Single Family	6,000	50	20%	25	15	40	30	7.3	2 (1 must be covered)
R-1: B-7.5	Single Family	7,500	70	20%	25	15	40	30	5.8	2 (1 must be covered)
R-1:B-10	Single Family	10,000	85	20%	25	15	40	30	4.4	3 (1 must be covered)
R-1:B-15	Single Family	15,000	100	15%	25	18	40	30	2.9	3 (1 must be covered)
R-1:B-20	Single Family	20,000	120	15%	25	20	40	30	2.2	3 (1 must be covered)
R-1:B-A	Single Family	1 acre	150	15%	25	25	40	30	1	4 (2 must be covered)
R-1:B-5A	Single Family	5 acres	300	10%	25	45	40	30	0.2	4 (2 must be covered)
R-1:B-10A	Single Family	10 acres	300	10%	25	50	40	30	0.1	4 (2 must be covered)
C-L	Local Service Commercial	None	None	None	None	None	None	30	n/a	1/250 sf of net rentable floor area
	Single Family	10,000	85	20%	25	15	40	30	4.4	3 (1 must be covered)
C-D	Civic	None	None	None	None	None	None	None	n/a	None
C-C	Community Cultural	1 acre	150	25%	25	15	40	30	n/a	2 sf/1sf of building land coverage
F	Floodway	None	None	None	None	None	None	None	n/a	None
P-F	Public Facilities	None	None	None	None	None	None	None	n/a	None
O-S	Open Space	None	None	None	None	None	None	None	n/a	None

Source: Town of Ross Zoning Ordinance

Land-use controls can be viewed as a constraint in that they determine the amount of land to be developed for housing and establish a limit on the number of units that can be built on a given site. Land use regulations in Ross restrict housing development to single family units in both the residential and commercial districts and therefore present a potential barrier to affordable housing development. Other zoning districts, most notably those in which schools and cultural centers are located, do not permit residential development.

The Civic District (C-D) comprises a total land area of approximately 40 acres, the majority of which is parkland, and contains Ross Elementary School, Ross Common park, the Town's administrative offices, the fire house, and a post office. Development standards are purposefully flexible in the Civic District, with the Town Council having authority to set project-by-project standards that are responsive to development-specific circumstances. Public purpose uses are permitted in the C-D district, including Town Hall, libraries, museums, fire and police stations, auditoriums, schools, and park and recreational uses.

Within the C-D district, the Town owns two sites of approximately ¼ acres apiece that have each been developed under the General Plan public service designation with a single family residence. Additional residential development in the district would be

subject to design review and approval by the Town Council. There are no established setbacks, parking requirements, or height limitations in the C-D district, enabling the Town to maximize the number of affordable units to be developed on identified sites. The Town intends to develop between 4 and 7 additional units on the subject building sites at a net density not to exceed 12 units for each acre of total parcel area.

The Local Service Commercial (C-L) district comprises a land area of approximately 1.37 acres and contains ten properties. The C-L district does not have specific development standards for lot size, setbacks, lot coverage, or floor area ratio (FAR). Development within the district is limited to two stories and a mezzanine, with total height limited at 30 feet. One off-street parking space for every 250 square feet of net rentable floor area is required.

Single family uses are currently permitted by right in the C-L district subject to the regulations governing the R-1:B10 district. There are no specific development standards for mixed-use projects in this district. Development standards for mixed use developments are no more restrictive than the standards that apply to commercial uses in the district. The Town can allow reduced and shared parking based on the use mix and can consider allowances for off-site parking. Allowable residential densities would only be restricted by any height limitations and/or parking requirements that may be adopted.

The Community Cultural (C-C) district is limited to the 11-acre site where the Marin Art & Garden Center is located. Permitted uses in this district are a community cultural center, an art and garden center, a memorial building or center, a museum, a botanic garden and buildings devoted to the creation and exhibition of art. Building coverage is limited to 25% of the lot area. Setbacks are 25 feet for the front yard, 15 feet for the side yard and 40 feet for the rear yard. The maximum building height is two stories and a mezzanine with a 30 foot height limit. The maximum floor area ratio is 20% in the C-C district.

Current parking requirements in the C-C district are two square feet of parking area for each square foot of building coverage. Amendments to the zoning standards for this district include a requirement for two square feet of parking area for each square foot of commercial use, a maximum of one uncovered space per mixed-use residential unit, and consideration of waiving parking requirements based on the availability of shared parking on the site. Since the current building coverage at the Marin Art & Garden Center is 6.2%, there is adequate provision for increased development on the parcel; however, environmental conditions, including a hillside at the eastern portion of the site, may function to constrain future development. A maximum of six units could be developed on this site. Residential development would be limited to single-family, duplex, and triplex units and would be regulated through the Town's design review process. A residential second unit could also be included within this number.

General plan and zoning ordinance amendments are proposed as part of this housing element to provide additional sites for housing and to expand the supply of affordable housing units. Specifically, changes are recommended to:

1. Amend the zoning standards for the Local Service Commercial (C-L) district to allow mixed-use development and attached residential units.

2. Amend the zoning standards for the Civic (C-D) and Community Cultural (C-C) districts to permit the development of below-market rate single and multi-family residences.

Second Units

A second dwelling unit is a small unit in addition to the main house on a single lot. Second units have the following benefits:

(1) They provide flexibility for the owner of the main home (they can be used as a home office, an apartment for elderly parents, or a source of income);

(2) When rented they help make home-ownership affordable for the owner of the home;

(3) They can provide flexibility for seniors or other homeowners who rent their primary dwelling because they still want to live in the same neighborhood;

(4) They provide lower cost housing because the units tend to be small and there are no extra land costs;

(5) They typically provide lower cost housing for younger households (under 34) and seniors (65 years plus), and these are the demographic groups that have been identified as having the most significant low income housing need in Ross;

(5) They are easier to fit into existing neighborhoods since they are small and are often part of the main house.

The Town of Ross's second unit ordinance (Chapter 18.42) requires single family residence owners to obtain use permits for second units and requires second units to be attached and located within the living area of the existing dwelling or to result in less than a 10% increase in the size of the existing primary residence. By reference, the ordinance also requires the second unit to provide the same number and type of parking spaces as the primary dwelling. As shown in Table 18, these requirements are significantly stricter than those found in other jurisdictions in Marin County. Since the Town has issued only one use permit for a second unit between 1988 and 2002, the ordinance appears to be severely constraining development of second units.

Table 19: Second Unit Standards of the Various Jurisdictions in Marin County (2001)

	Use Permit Req	Owner Occ. Req.	Maximum Unit Size (Sq. Feet)	Second Unit Parking Req.	Primary Unit Parking Req.	Minimum Lot/Size (Sq. Feet)	Other Special Requirements
Belvedere	Yes	Yes - in either unit	750	1*	2*	Set by Zoning District	Maximum of 50 Second Units allowed in city; maximum of 3 persons (2 adults and 1 child); parking equal to total cars owned.
Corte Madera	Yes	Yes - in either unit	700	1*	2	Set by Zoning	1 Parking Space for studio/1 bedroom units; 2 spaces for 2 bedroom units; 2 spaces if paved street less than 26 feet in width.
Fairfax	Yes	Yes - in either unit	Varies	1	2	7,500	Maximum size is 1/3 area of primary house; conversion of existing detached accessory structures allowed; non-owner occupancy if rental agreement filed with Town for affordable rents.
Larkspur	Yes	Yes - in either unit	700 (320 square foot minimum)	1*	4*	7,500	Studio and 1 Bedroom units only; 1 non-tandem parking space for unit, in addition to 2 spaces for primary unit plus 2 guest spaces.
Mill Valley	Yes	Yes - in either unit	700	2	2*	Set by Zoning District	With some limitations, 1 of the 2 required parking spaces may be on City right-of-way on driveway apron; 1 guest space must be provided when on-street parking is not available along the immediate frontage of the property.
Novato	Yes	Yes - in either unit	550 to 1,000* (220 to 350 square foot minimum)	1	2	7,500 to 10,000	Define second units standards for "contained" units (550 square feet maximum size), "attached" units (750 square feet), and "detached" units (1,000 square feet); Detached units allowed on 10,000 square foot lots.
Ross	Yes	Yes - in either unit	Varies	2*	2	Set by Zoning District	Floor area may not exceed 10% of primary house living area; parking determined through Use Permit process.
San Anselmo	Yes	Yes - in either unit	None	1	2	Set by Zoning District	Quota established for each neighborhood; unit must be covered by a rent guarantee between the owner and the Town (rent established by Council resolution).
San Rafael	Yes	Yes - in either unit	1,000 (500 square foot minimum size)	1*	2	5,000	1 parking space for studio/1 bedroom units; 2 spaces for 2 bedroom units; parking for the primary unit must be covered; 40% of heated floor area up to a maximum of 1,000 square feet in size; conversion of existing detached accessory structures allowed.
Sausalito							Second units precluded in all residential zoning districts.
Tiburon	Yes	Yes - in either unit	700	2*	2	10,000*	Exceptions to parking and lot size allowed; conversion of existing detached accessory structure built prior to 1984 allowed; maximum of 3 persons.
Unincorporated	Yes	Yes - in either unit	750	2	2	Set by Zoning District	Second unit must also meet standards in all community plans or resolutions adopted by the Board of Supervisors; minimum street width standards must also be met; parking standards may be reduced for studio/1 bedroom units.

Source: Marin County Jurisdictions (2001)

The Town of Ross's zoning code permits the development of caretaker's units and guesthouses in single family residential districts but does not impose specific parking requirements or unit size limitations upon their development. Use permits for caretaker's units and guesthouses prohibit them from being rented. Caretaker's units may only be occupied by those regularly employed on the property. Between 1988 and 2002, the Town issued 24 use permits for caretaker's units and guesthouses. Property owners are apparently choosing permits for caretaker's units and guesthouses in lieu of second unit use permits because the existing second unit ordinance is too restrictive.

This housing element recommends the following revisions to the second unit ordinance:

1. Eliminate the use permit requirement and allow for the non-discretionary ministerial approval of residential second units..

2. Allow residential second units to be detached as well as attached.

3. Increase the maximum unit size to 700 square feet.

4. Reduce the parking requirement to one off-street parking space per unit.

5. Create a process for the legalization of existing illegal second units.

Building Code

Like most communities, the Town of Ross has adopted the Uniform Building Code (UBC) that sets minimum standards for residential development and all other structures. The standards may add material and labor costs, but are accepted state-wide as necessary minimums for the safety of those occupying the structures. Modification of the code in order to reduce the cost of housing would not be appropriate. The Town enforces energy conservation standards enacted by the State. The standards may increase initial construction costs, but over time will result in energy savings. Building code requirements and enforcement are similar to other Marin County jurisdictions and do not pose a special constraint to the production of housing.

Permit Processing

The Town of Ross processes applications for development relatively quickly. The average processing time for a building permit is four to six weeks. Applications for planning approvals are usually processed within 1-2 months of receiving a completed application. Most projects are subject to design review and/or variance approval. Approximately 90% of all design review projects are deemed complete within 30 days and many are heard within 30 days. Design review guidelines help to address neighborhood concerns by requiring review and involvement of adjacent property owners early in the development process. Most projects are approved, some with changes or modifications to address

design, zoning, and neighborhood issues. The design review process is not considered a significant constraint to housing development.

Single family residences may be constructed upon receiving design review approval. A variance may also be necessary if all zoning ordinance requirements cannot be met. A variance application would be processed concurrently with the design review application. The Town Council would approve a design review application after a public hearing. The design review process has the following elements and timeline:

Task	*Time*
• Application Filed Project sponsor submits completed application forms, plans, supporting documents and fees. Plans consist of architectural and grading plans.	1 day
• Completeness Review The Planning Department reviews the submitted material to determineif it is complete.	30 days
• Completeness Notice Notice sent to applicant advising that the project is incomplete and additional information is required.	1 day
• Follow-up Submittal If the application has been determined to be incomplete, the applicant will submit follow-up information as requested. The time to complete this task is determined by the project sponsor. If the application was to be complete, this task is skipped	varies
• Environmental Review The application is reviewed to determine whether the project is exempt from CEQA or if an Initial Study is required. Most projects are found to be categorically exempt. If a negative Declaration is prepared, environmental review can take the full 6 months allowed by the law.	1 day to 6 mos.
• Public Noticing A public notice is sent before the hearing to property owners within prior 300 feet of the project site.	10 days
• Staff Report A detailed evaluation is conducted and a staff report is prepared.	7 days prior
• Public Hearing The Town Council conducts a hearing and takes action to approve or deny the project.	1 day

The Town has not received any applications for multi-family projects in the past ten years. In November 2001, the Town received demolition, design review and use permit applications from The Cedars of Marin, a residential care facility for the developmentally disabled, to allow site modifications, including the demolition of two buildings and the construction a new 14,180 square foot building. The applications were considered

complete within three months and found to be categorically exempt from CEQA. The proposed project was reviewed during four consecutive, regular monthly Town meetings and one Special Council meeting between February and May of 2002 with considerable public input and expert testimony. The applications were approved in May, 2002, approximately six months after initial submittal. Considering the complexity of the project, the approval process was not unusually long or onerous and was comparable to what would be encountered in most communities.

Development Fees

Local fees add to the cost of development; however, particularly after Proposition 13, cities are concerned with the need to recover processing costs. Table 20 shows typical planning fees in Ross. In general, required deposits and some fees are higher than those assessed by other Marin County jurisdictions.

Table 20: Planning Fees in Ross

Planning Fees		Design Review	
General Plan Amendment	hourly, $5,000*	Administrative	$300
Zoning Amendment or Prezoning	hourly, $5,000*	New Floor Area Construction	
Subdivision		200 to 499 sf	$600
Tentative Map (Parcel Map)	hourly, $4,500*	500 to 999 sf	$1,000
Tentative Map (Subdivision)	hourly, $4,500*	1000 to 1999 sf	$2,000
Final Map	hourly, $2,500*	2000 to 2999 sf	$3,000
Impro vement Plan Check	3% of valuation	over 3000 sf	$4,000
Improvement Inspection Fee	1.5% of valuation	Conditional Use Permit	$1,000
Lot Line Adjustment	$500.00 per parcel	Hillside Lot/Hazard Zone Use Permit	
Certificate of Compliance	$2,000	Less than 2,00 sf new floor area	$1,250
Variance	$800	Over 2,00 sf new floor area	$2,500
Environmental Review		Demolition Permit	$1,500
Initial Study	hourly, $3,500*	Hourly Rate/Research Fee (per hr.)	
EIR	cost, plus 15%	Town Clerk	$50
		Town Planner	$125

*includes first five hours of planner time, additional time at hourly rate.
**includes first ten hours of planner time, additional time at hourly rate.

Source: Town of Ross Planning Department

Ross charges building permit fees according to a sliding scale as detailed in Table 21. In addition to these fees, the Town charges plan check fees equal to 65 percent of the prescribed building permit fee and energy calculation fees of 10% of the applicable building permit fee. The Town also charges fees for plumbing, mechanical and electrical permits. A seismic tax, as established by SB 1374, is levied for residential projects at 10 cents per thousand dollars of valuation. Additional fees are imposed based upon valuation of the project as follows: drainage impact fee, 1%; traffic impact fee, 1%; general plan update fee, .2%; and, planning fee, .3%.

Table 21: Town of Ross Building Permit Fees

Valuation	Base Fee	Plus Incremental Fee
Up to $500	$70	none
$501 - $2,000	$70	$4 for each additional $100 over $501
$2,001 - $25,000	$130	$18 for each additonal $1,000 over $2,001
$25,001 - $50,000	$545	$13 for each additional $1,000 over $25,001
$50,001 - $100,000	$869	$9 for each additional $1,000 over $50,001
$100,001 - $500,000	$1,319	$7 for each additional $1,000 over $100,001
$500,001 and up	$4,119	$6 for each $1,000 over $500,001

Source: Town of Ross Building Department

A comparison of fees charged for a single family and a multifamily projects is shown in the Table 22. Since no multifamily housing has been developed in Ross in the past ten years, the fees indicated are intended to be representative of a hypothetical project. In addition to these fees, residential projects would pay water and sewer hook-up fees directly to the service provider.

Table 22: Fees for Single Family and Multifamily Dwellings in Ross

	Typical Single Family Unit	Hypothetical Multifamily Project
Valuation	$1,200,000	$1,500,000
Square Feet	4,000	5,000
# Bedrooms	5	four 2-BR units
Environmental Impact Initial Study	n/a	
Design Review	4,000	4,000
Variance	800	800
Hillside Lot Use Permit	2,500	n/a
Master Plan	n/a	
Building Permit	8,319	10,119
Plan Check	5,407	6,577
Energy Calculation	832	1,012
Seismic Tax	120	150
Plumbing, Electrical, Mechanical	1,000	1,250
Drainage Fee	12,000	15,000
Impact Fee	12,000	15,000
General Plan Fee	2,400	3,000
Planning Fee	3,600	4,500
Total Fees and Exactions	$52,978	$61,408
	psf, $13.24	per unit, $15,352

Source: Town of Ross Building and Planning Departments

A review of other Marin County cities concludes that Ross's fees are comparable by Marin County standards, with no specific infrastructure development fees since the Town's infrastructure is essentially built out. Line item fees related to processing, inspections and installation services are limited by California law to the cost to the agencies of performing these services. Most jurisdictions are tending toward fees that cover the costs of staff time and materials charged on an hourly basis, consistent with California law. In aggregate, the Town's fees are consistent with other Marin County jurisdictions. They are not considered a significant constraint to above-moderate income housing development.

Site Improvement Requirements

The Town of Ross is essentially built-out and all necessary infrastructure is in place to serve the Town's present and future housing needs. The Town of Ross Zoning Ordinance does not contain any specific standards or requirements for street widths, curbs, gutter, sidewalks, or circulation improvements. If an application requires a private road for access to a proposed development, the Town would apply Marin County development standards. Curbs, gutters, and sidewalks are only present in the downtown area, along Bolinas Avenue, along Poplar Avenue, and along portions of Redwood Drive. In keeping with the rural character of the town, it is unlikely that development outside of these areas would be required to provide curbs, gutters or sidewalks associated with a private road.

Water, sewerage, and drainage systems are in place within existing developed areas, and new residences typically need only to supply lateral connections to the water and sanitary sewer mains maintained by the Marin Municipal Water District and Ross Valley Sanitary District № 1. Public sewer or water extensions are subject to the regulations and permit procedures of the service providers. On July 7, 2004 the Board of Directors of the Marin Municipal Water District revised Board Policy No. 12, instituting a 50% reduction in connection fees for projects creating housing for low or moderate income households provided they have terms of affordability of at least 30 years. While there are no specific on-site or off-site requirements, new development is indirectly required to pay for improvements and maintenance of the Town's roadways and drainage system through Town traffic and drainage impact fees.

Opportunities for Energy Conservation

Housing Elements are required to identify opportunities for energy conservation. The recent energy crisis has highlighted the importance of reducing energy use by homeowners. Energy conservation reduces monthly housing costs and helps to solve the energy shortage. Programs that promote the use of renewable energy technologies can further minimize the use of nonrenewable resources.

The Town of Ross seeks to improve energy conservation for homeowners. Title 24 Energy Conservation Requirements are applied to new construction and remodeling projects. The standards may increase initial construction costs, but over time result in energy and cost savings.

The Town of Ross amended its requirements for solar panels in 2001 to simplify the approval process. Installation of solar panels now requires design review approval rather than a use permit. If setbacks are met and the visual impacts are minimal, the permit can be approved administratively without Town Council approval. This reduces permit costs and the amount of time required to obtain a permit.

It is recommended that the Town promote available programs that help residents upgrade existing vintage structures to be energy efficient and use renewable energy technologies in new construction. Existing programs are summarized below:

Marin County Housing Rehabilitation Loan Program. This program assists in the rehabilitation of older housing units, which can include energy efficiency improvements.

PG&E. PG&E sponsors a variety of programs including a "walkthrough" audit which provides a comprehensive assessment of energy conservation needs and the Project Help/Direct Weatherization program that provides free attic insulation, weather stripping and caulking, water heater blankets and low flow shower heads for low income households.

Available Land and Ability to Meet "Fair Share" Housing Needs

In response to Housing Element law, the Town is required to provide an inventory of known sites available for housing development as well as vacant and/or underdeveloped sites that can potentially accommodate Ross's housing development needs determined by ABAG between January 1999 and June 2006.

Units that have been built or approved in Ross between 1999 and 2002 are shown in Table 23. Four new single family homes have been approved. One use permit for a second unit has been issued, and it is assumed that the fair market rent for this unit would be affordable to a household with moderate income. One caretaker's unit was approved with the provision that only persons regularly employed on the property would use it and that the owner would not collect rent. Based upon surveys of currently occupied caretaker's units, it is assumed that the unit will be affordable to a very low income household.

Table 23: Affordable Housing Units Built or Approved in Ross (1999-2002)

	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total Units
Regional Fair Share Housing Need	3	2	5	11	21
New Single Family Homes	0	0	0	4	3
Second Units	0	0	1	0	1
Caretaker's Units	1	0	0	0	1
Total Housing Units Built or Approve	1	0	1	4	5
Percent of Units Built or Approved	33%	0%	20%	36%	24%

Source: Town of Ross Planning Department

High property values and the limited number of vacant sites suitable for housing, particularly multi-family housing, severely limit opportunities for the development of housing affordable to very low, low, and moderate income households in Ross. Given these constraints, the Town seeks to meet its fair share of housing needs for all economic segments of the population through the following strategies:

a. Encouraging the development of second units through new construction, the conversion of ancillary buildings, and the legalization of existing illegal second units.
b. Encouraging the development of caretaker's units affordable to lower income households.
c. Encouraging mixed use housing in commercial zones.
d. Identifying high potential housing sites that offer opportunities to build housing for very low and low income households.
e. Identifying vacant lots that will meet the need for housing for above moderate income households.

Second Units

Second units provide an opportunity for the Town of Ross to increase the amount of housing affordable to low and moderate income individuals and small families. Many of the properties in Ross have existing pool houses, guesthouses, and servant's/caretaker's quarters. These ancillary structures are consistent with the existing development pattern in Ross.

Modifications to Ross's second unit ordinance, as discussed previously in this element, are expected to result in an increase in legal second units. It is anticipated that with modifications to the ordinance, an additional two new second units could be developed in Ross between 2003 and 2006. Because these units would be limited to 700 square feet, it is assumed these would be affordable to low and moderate income households.

Between 1988 and 2002, the Town of Ross issued 13 use permits for guesthouses. The permits issued expressly prohibit these units from being rented. However, under an amended second unit ordinance, guesthouses that conform to zoning requirements could be converted to rentable second units. It is projected that the conversion of guesthouses to legal second units would result in an additional two units between 2003 and 2006, and that these units would be affordable to low and moderate income households.

There may be a number of existing illegal second units within the Town. A well-publicized amnesty program that allows these units to be legalized without penalty is expected to result in the addition of four units affordable to low and moderate income households within the current planning period.

In total, it is projected that eight new second units will be added to the housing stock, with four of these affordable to low income households and four affordable to moderate income households.

Caretaker's Units

Possibly fueled by the limited availability of affordable housing in Ross and neighboring communities, the Town issued 11 use-permits for caretaker's quarters between 1988 and 2002. While the regulations prohibit the units from being rented, they are intended to provide housing for persons employed on the property. Caretaker units can exceed 700 square feet in size, and they provide a greater diversity in housing choices for lower income families. A Town survey of property owners with caretaker's units found that occupied units are providing housing for very low and low income households. Caretaker units should continue to be encouraged by the Town, and the Zoning Ordinance references to caretaker's units should be amended as previously discussed in this element. Based upon historical production of caretaker units, it is projected that two more units will be added within the current planning period.

Mixed Use

The local service commercial district is small in size, containing approximately 10 commercial buildings and 10 dwelling units on approximately 1.37 acres. A map detailing the 10 properties that comprise the local service commercial district is included on page 71 of this element. A detached single family residence is currently permitted subject to the physical requirements established in the R-1:B10 single family residential zoning district. Currently, four of the commercial district properties contain residential units. The commercial uses of the district are primarily community-service oriented and include professional services, a food market, restaurants, and retail uses. Residential units could potentially be added to two of the properties in the commercial district with minimal redevelopment of the existing commercial uses. Given the desirability of the town and the proximity of the commercial district to the town's elementary school, post office, recreational fields, and other amenities, it is expected that there will be strong demand for residential units in this area.

An amendment to the zoning ordinance that allows attached or detached single-family and multi-family residential dwellings would increase the number of housing units affordable to low and moderate income households. It is anticipated that an amended zoning ordinance would add one housing unit affordable to moderate income households between 2004 and 2006.

High Potential Housing Sites

Four sites have been identified in the Housing Element as having the potential to attain planning approvals for housing units affordable to very low, and low income households. This potential is based on land use designations, size, and other physical characteristics and relative lack of environmental constraints. The Town will take actions to promote the development of affordable housing on these high potential sites by the year 2006. By June 2005, the Town will initiate zoning ordinance text amendments and provide incentives for development of the privately-owned sites. Concurrently, the Town will initiate development of the Town-owned sites by retaining the services of an architect, exploring the possibility of partnering with a non-profit organization interested in developing affordable housing, and seeking financing through government programs, community foundations, and the establishment of an in-lieu affordable housing fee and Housing Trust Fund. The Town is committed to building affordable housing on Town-owned properties.

37 Sir Francis Drake
Ownership: Town of Ross
Area Size: Approximately .25 acres
Zoning, General Plan and Uses: Civic District (C-D); Public Service General Plan designation. Lot contains an existing 2,000 square foot single family dwelling that is rented to a Town Public Safety Department employee. A potential reuse of this property would include demolition of the existing structure and construction of a new two or three-unit building with deed-restricted affordable rental housing.
Topography and Environmental Constraints: Level. Corte Madera Creek runs along rear of parcel.
Potential Units: 1-2 additional units (2-3 total units)

6 Redwood Drive
Ownership: Town of Ross
Area Size: Approximately .25 acres
Parcel Area: 4.36 acres
Zoning, General Plan and Uses: Civic Distrct (C-D); Public Service General Plan designation. Existing 954 sq. ft. single family dwelling. Potential reuse of this property would include demolishing the existing residence and constructing a single structure containing up to 6 rental units. A range of unit sizes and types would be provided in order to meet the needs of a mix of tenants, ranging from small studios of approximately 600 square feet up to three bedroom units of approximately 1,300 square feet. The development would provide a number of deed-restricted rental housing units to ensure affordability to very low and low-income households.

Topography and Environmental Constraints: Level. Lot is adjacent to single family residences and the Ross Common park.
Potential Units: up to *5* additional units (up to 6 total units)

Marin Art and Garden Center
Ownership: Non-Profit 501(c)3 Corporation
Area Size: 11 acres
Zoning, General Plan and Uses: Community Cultural (C-C) District; Limited Specialized Recreational/Cultural General Plan designation. Existing facilities include a library, an antiques store, a café, a small theater hosting an amateur theatre group, an art gallery, a decorative crafts boutique, a playground, and a building used for classes and lectures. These facilities are surrounded by gardens.
Topography and Environmental Constraints: Topography ranges from level to hilly.
Potential Units: 1-3

The Katherine Branson School
Ownership: Private
Area Size: 13 acres
Zoning, General Plan and Uses: Single Family Residential District (R-1:B-A), one acre minimum; Limited Quasi-Public/Private Service General Plan designation. The School operates under a conditional use permit that restricts the number of day students to 320. The school already exceeds its permitted floor area ratio and is surrounded by residential development. New development would have to occur within existing floor area. This could include redevelopment of existing campus buildings for residential uses *Topography and Environmental Constraints:* Topography ranges from level to hilly. *Potential Units:* 1-3

Vacant Lots

The Town has identified seven vacant lots that could be utilized to meet the Town's fair share of above moderate housing needs. Most of the remaining vacant land parcels in Ross are located on steep slopes. Current zoning on most of these lots requires a lot size of five or ten acres though many of the remaining lots are much smaller in size. This is appropriate considering the environmental and infrastructure constraints in developing these lots. In addition to the vacant hillside lots, there is an undeveloped 2-acre site on Sir Francis Drake (part of the Ross Hospital site) that received approval for two one-acre lots. Considering land costs in Ross, it is assumed that new homes on the sites identified below would be affordable only to above-moderate income households. Table 24 identifies vacant lots in Ross considered likely to be developed between 2003 and 2006.

Table 24: Potential Sites for Above Moderate Housing (2003-2006)

	Site #1	Site #2	Site #3	Site #4	Site #5	Site #6	Site #7
Parcel #	073-021-05	073-011-26	073-011-30	072-241-22	073-291-13, 14, 15	072-072-29, 30	072-171-06
Location	Wood Haven Rd.	Upper Rd.	Upper Rd.	Sir Francis Drake	Hillside Drive	Baywood Ave.	16 Walters Rd.
Zoning	R-1:B5A	R-1:B-10A	R-1:B-10A	R-1:B15	R-1:B5A	R-1;B20	R-1:BA
Minimum Lot Size	5 acres	10 acres	10 acres	15,000 sf	5 acres	20,000 sq. ft.	1 acre
Lot Size	.43 acre	36 acres	65 acres	2 acres	4 acres	.5 acre	1.5 acres
# Units Anticipated	1	1 - 3	3	2*	1	1	1

* Subdivision approved by the Town of Ross

Source: Town of Ross Planning Department

Summary of Programs and Sites to Meet Fair Share of Housing Needs

It is anticipated that the Town of Ross can meet its fair share of housing needs by 2006 with the sites and program actions identified above. Table 25 summarizes the number of new units anticipated in Ross between 2002 and 2006 by income category. Where a range has been indicated in the site identification above, the projections have conservatively utilized the low-end estimate. The analysis indicates that even if a particular project or program action does not meet its targeted goals, there is sufficient capacity overall to meet minimum ABAG housing needs requirements.

Since it is the Town's goal to preserve all existing housing units through ongoing enforcement of the existing Demolition Ordinance, the Town expects to conserve all of the units identified in the 2000 U.S. Census and all of the units built since then. The distribution of units among income categories is based upon household income data as indicated by the U.S. Census (see table "Estimated Households Overpaying for Housing by Income Categories"). The number of units to be rehabilitated is based on the historical building activity reported by the Town of Ross Building Department. With approximately 10 to 15 building permits issued each year for major rehabilitation and repair, the Town expects a total of 80 units to be rehabilitated during the planning period. The Town expects most of the financing for future rehabilitation to be provided by the private sector. Low-interest rehabilitation loans for lower-income households, as provided through the Marin Housing Authority, are projected to continue at the present rate of three per year.

Table 25: Quantified Objectives of Ross Housing Element Programs (January 1999 to June 2006)

	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total Units
Regional Fair Share Housing Need	3	2	5	11	21
Housing Units Built or Approved (1999-2002)	1	0	1	4	6
Remaining Need (2003-2006)	2	2	4	7	15
Second Units	0	4	4	0	8
Caretaker Units	1	1	0	0	2
Mixed Use	0	0	1	0	1
Housing from High Potential Housing Sites	2	2	0	0	4
Single Family Homes	0	0	0	10	10
Total New Units Anticipated	**4**	**7**	**6**	**14**	**31**
Regional 'Fair Share' Housing Need	3	2	5	11	21
Percent of ABAG Need Expected to be Met	**133%**	**350%**	**120%**	**127%**	**148%**
Units to be Rehabilitated	10	10	10	50	80
Units to be Conserved	124	112	107	455	798

Source: Town of Ross Planning Department

A Framework for Action

Ross's Housing Goals and Objectives

Housing Goals

The Town of Ross is committed to meeting the housing needs of all economic segments of the Town's population. It is also important to ensure a fit of new housing with Ross's long-standing commitment to maintain and enhance the high quality of its residential and commercial neighborhoods. The Housing Element strives to achieve the following goals:

■ ENSURE THE TOWN'S COMMITMENT TO MEETING HOUSING NEEDS. Establish and monitor goals, policies, and programs to address the Town's housing needs; encourage public participation in all housing policy matters; provide incentives for affordable housing; and promote equal housing opportunities.

■ PROTECT AND ENHANCE EXISTING HOUSING, COMMUNITY CHARACTER, AND RESOURCES. Maintain the high quality of existing housing and community character, and assure energy efficiency in new and existing housing.

■ PROVIDE NEW HOUSING AND ADDRESS AFFORDABLE HOUSING AND OTHER SPECIAL NEEDS HOUSING. Ensure excellence in architecture and site planning in all new projects; provide a variety of housing types and tenure; meet the Town's fair share of very low, low, and moderate income housing needs; and meet the housing needs of special groups, including the elderly, handicapped, small and large families, single parents and local workers.

Housing Objectives

State law requires the Housing Element to include quantified objectives for the maximum number of units that can be rehabilitated, conserved, or constructed. Policies and programs establish the strategies to achieve these objectives. The Town's quantified objectives are described under each program. Assumptions are based on past program performance, construction trends, land availability, and future program funding. The Town's housing policies and implementing programs are grouped by the *housing objectives* described on the next page. Policies and implementing programs are then further grouped by the topics listed under each objective.

Housing Policies and Implementing Programs

1.0 WORK TOGETHER TO ACHIEVE THE TOWN'S HOUSING GOALS

H1.1 **Local Government Leadership.** Affordable housing is an important Town priority, and the Town will take a proactive leadership role in working with community groups, other jurisdictions and agencies, non-profit housing sponsors, and the building and real estate industry in undertaking identified Housing Element implementation actions in a timely manner.

H1.2 **Community Participation in Housing and Land Use Plans.** The Town will foster effective and informed public participation from all economic segments and special needs groups in the community in the formulation and review of housing and land use issues.

H1.3 **Inter-Jurisdictional Strategic Action Plan for Housing.** The Town will coordinate housing strategies with other jurisdictions in Marin County, as appropriate, to meet the Town's housing needs.

H1.4 **Equal Housing Opportunity.** To the greatest extent possible, the Town will ensure that individuals and families seeking housing in Ross are not discriminated against on the basis of race, color, religion, marital status, disability, age, sex, family status (due to the presence of children), national origin, or other arbitrary factors, consistent with the Fair Housing Act.

Implementing Programs

■H1.A **Prepare Information and Conduct Outreach on Housing Issues.** Coordinate with local businesses, housing advocacy groups and neighborhood groups in building public understanding and support for workforce and special needs housing. Through written materials and public presentations, inform residents of housing needs, issues, and programs (second units, rental assistance, rental mediation, rehabilitation loans, etc.).

Responsibility: *Planning Department; Town Council; and County Housing Assistance Team (HAT).*
Financing: *Staff time.*
Objectives: *Handouts, Town website, and presentation material.*
Timeframe: *December, 2005; ongoing thereafter.*

■H1.B **Collaborate in an Inter-Jurisdictional Strategic Action Plan for Housing.** Work toward implementing, whenever possible, agreed-upon best practices, shared responsibilities and common regulations to efficiently and effectively respond to housing needs within a countywide framework. The Strategic Action Plan program should be coordinated by the Marin County Affordable Housing Strategist and be available to assist participating cities and towns.

Responsibility: *Planning Department; Town Council; HAT.*
Financing: *Staff time.*
Objectives: *Coordination with other jurisdictions on housing matters.*
Timeframe: *December, 2005; ongoing thereafter.*

■H1.C **Disseminate Fair Housing Information.** The Planning Director is the designated Equal Opportunity Coordinator in Ross and will ensure that written materials regarding fair housing law are provided at various public locations in the town and that information regarding fair housing agencies and phone numbers is posted at Town Hall, the Post Office, and local transit locations where feasible. The Planning Director will provide

information to real estate professionals, property owners and tenants on their rights, responsibilities, and the resources available to address fair housing issues.

Responsibility: *Planning Department.*
Financing: *Staff time.*
Objectives: *Provide information on fair housing and assure effective implementation and enforcement of anti-discrimination policies.*
Timeframe: *December, 2005; ongoing thereafter.*

■H1.D Respond to Fair Housing Complaints. The Planning Director will investigate and deal appropriately with fair housing complaints. The Town will refer discrimination complaints to the appropriate legal service, county or state agency, or Fair Housing of Marin. If mediation fails and enforcement is necessary, refer tenants to the State Department of Fair Employment and Housing or HUD, depending on the nature of the complaint.

Responsibility: *Planning Department.*
Financing: *Staff time.*
Objectives: *Respond to discrimination complaints.*
Timeframe: *As needed.*

2.0 MAINTAIN AND ENHANCE EXISTING HOUSING AND BLEND WELL-DESIGNED NEW HOUSING INTO EXISTING NEIGHBORHOODS

H2.1 **Housing Design Process.** The Town will review proposed new housing to achieve excellence in development design in an efficient process. The historical, "small town" feel and the serene, quiet character of Ross's neighborhoods will be maintained through development of new housing. It is the Town's intent that the sense of community and the beauty of the town's natural environment will be preserved and enhanced by designing all new housing to be in harmony with existing development and the surrounding area.

H2.2 **Preservation of Residential Units.** The Town will seek to preserve the existing quality and quantity of housing and will discourage the demolition of residential units that reduce the town's affordable housing stock or adversely affect the Town's ability to meet its total housing requirements at all household income levels.

H2.3 **Maintenance of Quality Housing and Neighborhoods.** The Town will encourage the long-term maintenance and improvement of existing housing. The Town will encourage programs to rehabilitate viable older housing and to preserve neighborhood character and, where possible, retain the supply of very low to moderate income housing.

Implementing Programs

■H2.A **Housing Design Review.** The Town will continue to implement the housing design review process and the criteria set forth in Chapter 18.41 of the Ross Zoning Code.

Responsibility: *Planning Department, Town Council.*
Financing: *Staff time.*
Objectives: *Protection of existing housing.*
Timeframe: *Ongoing.*

■H2.B **Amend Demolition Ordinance.** The Town will amend the demolition ordinance (Chapter 18.50 of the Ross Zoning Code) to require findings that a proposed demolition will not reduce the number of existing affordable housing units and will not adversely affect the Town's ability to meet its total housing requirements at all income levels as determined by the Association of Bay Area Governments (ABAG).

Responsibility: *Planning Department, Town Council.*
Financing: *Staff time.*
Objectives: *Protection of existing housing.*
Timeframe: *December, 2005.*

■H2.C **Enforce Zoning and Building Codes.** The Town will continue to enforce the current zoning code in residential neighborhoods and will discourage overbuilding on lots through the design review process. The Town will continue to implement the hillside ordinance (Chapter 18.39 of the Ross Zoning Code) in facilitating the orderly development of hillside lots. The Town will also continue to require homes to comply with the Building Code through implementation of the Residential Building Record Report program.

Responsibility: *Planning Department, Town Council.*
Financing: *Staff time.*
Objectives: *Protection of existing housing.*
Timeframe: *Ongoing.*

■H2.D **Implement Rehabilitation and Energy Loan Programs..** Provide handouts and refer people to the Marin Housing Authority and PG&E to make available loan programs to eligible owner-and renter-occupied housing.

Responsibility: *Planning Department; Marin Housing Authority; PG&E.*
Financing: *Staff time.*
Objectives: *Loans provided to rehabilitate very low and low income housing (3 new loans in total).*
Timeframe: *Ongoing.*

3.0 USE OUR LAND EFFICIENTLY TO MEET HOUSING NEEDS AND TO IMPLEMENT 'SMART' AND SUSTAINABLE DEVELOPMENT PRINCIPLES.

Meet Affordable Housing Goals: Provide incentives and facilitate development of long-term affordable housing to meet ABAG housing needs determinations and maintain a diverse population.

H3.1 **Diversity of Population.** Consistent with the community's housing goals, it is the desire of the Town to maintain a diversity of age, social and economic backgrounds among residents throughout Ross by matching housing size, types, tenure, and affordability to household needs.

H3.2 **High Potential Housing Opportunity Areas and Programs.** Given the diminishing availability of developable land, the Town will identify housing opportunity areas, sites and specific program actions to provide workforce and special needs affordable housing. The Town will take specific actions to promote the development of affordable housing units by the year 2006 on these sites (identified in the Implementing Programs). The Town will use the following criteria in selecting Housing Opportunity areas, sites or locations for program actions:

a. Adequate vehicular and pedestrian access.
b. Convenient access to transit (or the project must be able to provide transit to meet the needs of the project's prospective residents).
c. Convenient access to neighborhood services and facilities as needed by the prospective residents.
d. Convenient access to neighborhood recreation facilities, or designed to provide adequate recreation facilities on site.
e. Cost effective mitigation of physical site constraints (including geologic hazards, flooding, drainage, soils constraints, etc.).
f. Cost effective provision of adequate services and utilities to the site.
g. Ability to meet applicable noise requirements.
h. Appropriate site size to provide adequate parking; parking requirements should be flexible and based on the needs of the project's prospective residents.
i. Finding that development of a specific project on the site will not result in significant adverse cumulative effects, unless the Town adopts a statement of overriding considerations.

Implementing Programs

■H3.A **Facilitate Development at High Potential Housing Opportunity Sites.** Undertake General Plan and Zoning Ordinance text amendments and/or other implementing actions, such as assisting local affordable housing developments in their attempts to gain access to affordable housing finance sources, to facilitate the construction of affordable housing at key sites to meet the Town's "fair share" of the regional housing need for lower income households.

a. Prepare General Plan and Zoning Ordinance text amendments to modify land use designations to permit residential uses in the Civic (C-D) and Community Cultural (C-C) districts.
   1. Establish residential densities of up to 12 units/per acre in these districts.
   2. Permit single-family, duplex, and triplex units as a conditionally permitted use.

b. Encourage new housing development in the Civic and Community Cultural districts to be affordable to lower-income households through provision of incentives such as fee reductions or waivers, an additional 25% density bonus, reduced parking requirements, and/or less restrictive development standards.
   1. For developments of one housing unit, encourage the unit to be affordable to low-income households.
   2. For developments of two or more units, encourage at least one unit to be affordable to very-low income households and at least half of the remaining units to be affordable to low-income households.
   3. Apply Income eligibility restrictions and affordability standards as established by HUD and HCD.
   4. The Town will require certification of income eligibility and affordability levels on an annual basis and upon any change in tenancy or ownership.
   5. Housing units designated as very low or low income will be required to assure affordability for at least 55 years with a recorded deed restriction.

c. Provide flexibility in applying development standards (e.g., parking, floor area, setback, height), subject to the type of housing, size and unit mix, location and overall design.
   1. Setbacks, building heights, lot coverage, and FAR will not be more restrictive than the existing standards in these districts.
   2. Require one uncovered space per unit, and consider waiving or reducing the parking requirement based on the availability of shared on-site or off-site parking.

d. Provide fast-track processing and ensure that affordable housing developments receive the highest priority. Efforts will be made by the Town's staff and Council to: 1. provide technical assistance to potential affordable housing developers in processing requirements, including community involvement; 2. consider project funding and timing needs in the processing and review of the application; and 3. provide the fastest turnaround time possible in determining application completeness.

e. Waive or reduce fees on a sliding scale related to the levels of affordability; possibly including a rebate of all planning and building fees for projects creating new affordable units based on the proportion of such units in the project.

f. Coordinate with service providers and other agencies as necessary to create opportunities for the development of affordable housing.

Responsibility: Planning Department; Town Council.

Financing: *Staff time.*
Objectives: *Create procedures, development standards, and other means to facilitate development of designated high potential housing opportunity sites. Create housing capacity for 7 new units in the C-D District and 3 new units in the C-C District.*
Timeframe: *June, 2005.*

■H3.B Implement Actions for the Marin Art and Garden Site (High-Potential Housing Opportunity Site). Develop up to 3 affordable units on the 11-acre site. This privately owned property is located on Sir Francis Drake Boulevard and contains several structures including a library, stores, a theater, a café and an art gallery. The Town will take the following specific actions to promote the development of affordable housing on this property by 2006:

a. **Zoning Ordinance Amendment.** The property is currently zoned C-C, Community Cultural District. The Planning Department will draft a text amendment to allow single-family, duplex, and triplex residential development in the district as a conditionally permitted use.

b. **Town Sponsored Hearings.** The Town will act to amend the zoning ordinance to permit residential development and to encourage affordable housing in the district through provision of incentives such as fee reductions or waivers, additional 25% density bonuses, reduced parking requirements, and/or less restrictive development standards.

1. For developments of one housing unit, encourage that the unit be affordable to low-income households.
2. For developments of two or more units, encourage at least one unit to be affordable to very-low income households and at least half of the remaining units to be affordable to low-income households.
3. Apply income eligibility restrictions and affordability standards as established by HUD and HCD.
4. The Town will require certification of income eligibility and affordability levels on an annual basis and upon any change in tenancy or ownership.
5. Housing units will be required to ensure affordability for at least 55 years with a recorded deed restriction.

c. **Offer Development Incentives.** The Town shall offer incentives for affordable housing. The Town may consider Floor Area Ratio or density bonuses for non-residential development, as well as flexible parking standards.

1. Setbacks, building heights, lot coverage, and FAR will not be more restrictive than the standards currently existing in the district.
2. Require one uncovered space per unit and consider waiving or reducing parking requirements based on the availability of shared on-site parking.

d. **Fast Track Processing.** The Town will offer fast track processing with conditional use permit and Design Review applications processed concurrently for a residential project with units affordable to very low and low income households.

Responsibility: *Planning Department; Town Council.*
Financing: *Staff time.*
Objectives: *Strive to achieve 1-3 housing units affordable to very low and low income households.*
Timeframe: *Undertake zoning ordinance amendments and establishment of affordable housing requirements and incentives by June, 2005.*

■H3.C Implement Actions for the Katharine Branson School (*High-Potential Housing Opportunity Site*). Develop up to 3 lower income affordable units on this privately held property located on Fernhill Avenue. The units could provide housing for the schools' faculty and/or employees. The Town will take the following actions to promote the development of affordable housing at the Branson School by 2006:

a. **Zoning Ordinance Amendment.** The Planning Department will draft a text amendment to the Zoning Ordinance to permit additional residential development on this site.

1. Development must occur within the established floor area ratio.
2. Single-family, duplex, and triplex housing will be permitted as a conditional use.

b. **Town Sponsored Hearings.** The Town will act to modify the zoning ordinance to permit additional accessory residential development and to encourage affordable housing requirements on the property through the provision of incentives such as fee reductions or waivers and/or less restrictive development standards.

1. For developments of one housing unit, encourage that the unit be affordable to low-income households.
2. For developments of two or more units, encourage at least one unit to be affordable to very-low income households and at least half of the remaining units to be affordable to low-income households.
3. Apply income eligibility restrictions and affordability standards as established by HUD and HCD.
4. The Town will require certification of income eligibility and affordability levels on an annual basis and upon any change in tenancy or ownership.
5. Housing units will be required to ensure affordability for at least 55 years with a recorded deed restriction.

c. **Offer Development Incentives.** The Town shall offer development incentives and apply zoning standards flexibly in order to protect neighborhood character and to promote the development of affordable housing. No additional on-site parking spaces will be required for the development of affordable housing.

d. **Fast Track Processing.** The Town will offer fast track processing with conditional use permit and design review applications processed concurrently for a residential project with units affordable to very low and low income households.

Responsibility: *Planning Department; Town Council.*
Financing: *Staff time.*
Objectives: *Strive to achieve 1-3 units affordable to very low and low income households.*
Timeframe: *Undertake zoning ordinance amendment by June, 2005.*

■H3.D Implement Actions for Town-owned properties at 37 Sir Francis Drake Boulevard and 6 Redwood Drive (*High-Potential Housing Opportunity Sites*). Develop up to 4 additional affordable units on these Town-owned properties. The Town will take the following actions to promote the development of affordable housing on these sites by 2006:

a. Draft a text amendment to the zoning ordinance to allow single family and multi-family residential uses within the Civic District as a conditional use. Adopt flexible zoning standards that facilitate the development of the maximum number of affordable units. Setbacks, lot coverage, and height restrictions will be no more restrictive than R-1 residential zoning district standards. Require no more than one uncovered off-street parking space per unit and consider off-site parking in fulfillment of the parking requirement.

b. Retain an architect to develop plans for design review submittal for up to 2 additional affordable units on each of these sites.

c. Seek a partnership with a non-profit organization to develop and maintain the units.

d. Provide financing from funds in the Town's Housing Trust Fund collected through the implementation of an affordable housing impact fee.

e. Seek additional funding through state and federal programs and community foundations.

f. Maintain the units as affordable rental housing for low and very low income households, utilizing income eligibility requirements and affordability standards as published annually by HUD.

Responsibility: *Planning Department; Town Council.*
Financing: *Staff time.*
Objectives: *Strive to achieve up to 4 units affordable to very low and low income households.*
Timeframe: *December, 2006.*

Mixed Use Housing: Encourage housing in largely non-residential areas where residential use is appropriate to the setting and where mixed use projects can be encouraged to address jobs and housing needs.

H3.3 **Mixed Use Housing.** Well-designed mixed use residential/non-residential developments are highly encouraged by the Town where residential use is appropriate to the setting and development impacts can be mitigated. The Town will develop incentives to encourage mixed use development in the downtown area where on-site housing is compatible with a non-residential use.

Implementing Programs

■H3.D Amend the Zoning Ordinance to Allow Mixed Use Development in Commercial Districts and Establish Zoning Standards to Encourage Development. Amend the zoning ordinance to allow residential development and create incentives for mixed use housing development, including changes to zoning and development code standards to make affordable housing development possible in the Local Service Commercial District as described on page 50 and in Addendum A. Conduct an inventory of available sites and amend the zoning ordinance to allow the following in mixed-use projects:

a. Allow flexibility in applying development standards (FAR, lot coverage) based on the location, type, and size of the units, and the design of the development.

b. Encourage housing by allowing the residential component of a mixed use development to be additive rather than within the established FAR for that zone.

c. Allow reduced and shared parking based on the use mix.

d. Provide allowances for tandem parking and off-site parking leases for affordable housing.

Responsibility: *Planning Department; Town Council.*
Financing: *Staff time.*
Objectives: *Create procedures, development standards, and other means to facilitate development of mixed use housing in commercial districts.*
Timeframe: *June, 2005.*

■H3.E Implement Mixed Use Development Opportunities. Encourage mixed residential/commercial uses on those parcels located in the Local Commercial Service District where a mix of uses is feasible and appropriate, consistent with the General Plan, through the following and other means, if appropriate: (1) increased densities; (2) flexibility in applying zoning standards; and (3) modifications to parking requirements.

Responsibility: *Planning Department; Town Council.*
Financing: *Staff time.*
Objectives: *1 mixed use unit.*

Timeframe: *June, 2006.*

Second Dwelling Units: Encourage well-designed, legal second units in all residential neighborhoods as an important way to provide workforce and special needs housing.

H3.4 **Second Dwelling Unit Development Standards and Permit Process.** Utilize the following approach for second dwelling unit development standards and processing: (a) limit the size of second dwelling units to maintain affordability; (b) require non-discretionary ministerial review rather than a use permit process for units that meet required standards and guidelines; (c) reduce or eliminate per unit fees in recognition of the small size and low impacts of second dwelling units; (d) provide flexibility in the parking standards for second dwelling units depending on the neighborhood setting; (e) allow for detached second dwelling units; and (f) require owner occupancy of either one of the units.

H3.5 **Legalization of Existing Illegal Second Units.** Establish regulations and policies that provide incentives and eliminate penalties for the legalization of existing illegal second units.

Implementing Programs

■H3.F **Modify Second Dwelling Unit Development Standards and Permit Process.** Continue to allow second dwelling units, and review and modify the following second unit development requirements in the zoning ordinance to ensure consistency with state law:

a. Establish second dwelling units as a permitted use "by right" when the second unit meets all of the zoning and building development standards established for the zoning district in which it is located and adequate parking is available. Second units approved "by right" will be limited in size to a maximum floor area of 700 square feet.

b. Reduce the parking requirement to one screened, off-street space per unit.

c. Waive or reduce fees when the second dwelling unit is providing documented affordable housing for very low income households.

d. Unless documented otherwise, one-half of the new second units will be counted as low income and one-half will be counted as moderate income housing based on guidelines determined by local housing advocacy groups.

e. Provide information about the new second unit ordinance through ongoing communications, including Town meetings, handouts, mailings, and the Town website, as well as through the Ross Property Owners Association's newsletter upon adoption of new ordinances.

Responsibility: *Planning Department.*
Financing: *Staff time.*
Objectives: *Adoption of procedures and requirements for second units; 4 Second Units by 2006.*
Timeframe: *Actions Completed.*

H3.G **Legalization of Existing Illegal Second Units.** Establish an amnesty program for the legalization of existing illegal units as follows:

a. Waive application fees and penalties for homeowners who legalize existing second units by January, 2004.
b. Require second units to conform to second unit development standards as defined in Implementing Program H3.F.
c. Publicize the amnesty program through the Town's website and handouts, local newspapers, and the Ross Property Owners Association's newsletter at the onset and conclusion of the program.

Responsibility: *Planning Department.*
Financing: *Staff time.*
Objectives: *Adoption of procedures and requirements; 4 second units by 2006.*
Timeframe: *Actions Completed.*

4.0 PROVIDE HOUSING FOR SPECIAL NEEDS POPULATIONS

H4.1 **Special Needs Groups.** The Town will actively promote development and rehabilitation of housing to meet special needs groups, including the needs of seniors, people living with disabilities, farmworkers, the homeless, people with HIV/AIDS and other illnesses, people in need of mental health care, single parent families, and large families.

H4.2 **Housing for the Homeless.** Recognizing the lack of resources to set up completely separate systems of care for different groups of people, including homeless-specific services for the homeless or people "at risk" of becoming homeless, the Town will work with other jurisdictions, as appropriate, to develop a fully integrated approach for the broader low-income population. The Town will support countywide programs to provide for a continuum of care for the homeless including emergency shelter, transitional housing, supportive housing and permanent housing.

H4.3 **Rental Assistance Programs.** The Town will create opportunities for using available rental assistance programs, such as the project-based and tenant-based Section 8 certificates programs, in coordination with the Marin Housing Authority

(MHA). The Town will support the use of Marin Community Foundation funds for affordable housing and will participate in the Rebate for Marin Renters program administered through MHA.

H4.4 **Reasonable Accommodations for the Disabled.** To ensure equal access to housing for people with disabilities and to provide reasonable accommodation for people with disabilities in the City's rules, policies, practices and procedures related to zoning, permit processing and building codes.

Implementing Programs

■H4.A Assure Good Neighborhood Relations Involving Emergency Shelters, Residential Care and Other Special Needs Facilities. Encourage positive relations between neighborhoods and providers of emergency shelters, residential care and other special needs facilities. Providers or sponsors of emergency shelters, transitional housing programs and community care facilities will be encouraged to establish outreach programs with their neighborhoods.

Responsibility: *Planning Department.*
Financing: *Staff time.*
Objectives: *Good communications and positive relations between providers and residents.*
Timeframe: *December, 2003.*

■H4.B Assist the Cedars of Marin in Maximizing Residential Use of its Facility. Continue to assist the Cedars of Marin, a residential care facility currently undergoing renovation, in providing housing for up to 60 developmentally disabled clients.

Responsibility: *Planning Department; Town Council.*
Financing: *Staff time.*
Objectives: *Provide maximum housing for the special needs population.*
Timeframe: *At completion of construction in 2005.*

■H4.C Engage in Countywide Efforts to Address Homeless Needs. Actively engage with other jurisdictions in Marin to provide additional housing and other options for the homeless, supporting and implementing Continuum of Care actions in response to the needs of homeless families and individuals. Participate and allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related counseling services.

Responsibility: *Planning Department; Town Council.*
Financing: *Staff time.*
Objectives: *Assist in addressing emergency shelter needs in a comprehensive, countywide manner.*
Timeframe: *Annual participation, as appropriate.*

H5.2 **Funding for Affordable Housing.** The Town will seek ways to facilitate affordable housing financing through local, state and federal sources and will coordinate with Marin County jurisdictions and affordable housing developers in submitting funding proposals in order to most effectively utilize these funding sources.

Implementing Programs

■H5.A Implement a Housing Trust Fund Ordinance. Adopt a Housing Trust Fund Ordinance, specifying that monies paid into the fund will be used to develop or rehabilitate units affordable to very-low and low-income households. Consider enacting an in-lieu housing fee for all residential and commercial development and establish actions for implementation.

Responsibility:	*Planning Department; Town Council.*
Financing:	*Staff time.*
Objectives:	*Provide funding to facilitate implementation of Housing Element programs.*
Timeframe:	*December, 2005.*

■H5.B Coordinate Funding among Development Proposals. Recognizing that limited resources are available from the State and other sources, and accessing such resources is highly competitive, the Town of Ross will participate in efforts to establish administrative procedures to ensure adequate coordination between jurisdictions and development proposals on their various housing activities and funding proposals, ensuring that local projects are competitive for outside funding sources and these resources are used in the most effective manner possible. Potential sources of funding include, but are not limited to:

a. CDBG/HOME.
b. Marin Community Foundation.
c. Applications for mortgage revenue bonds and/or mortgage credit certificates.
d. Housing Trust Fund.
e. Tax Credit Allocation.
f. California Housing Finance Agency (CHFA)

Responsibility:	*Planning Department; Town Council; Marin County Housing Assistance Team (HAT).*
Financing:	*Staff time.*
Objectives:	*Efficient use of available funding for high priority developments.*
Timeframe:	*Ongoing.*

Effective Implementation and Monitoring: Take a proactive approach in sharing resources and making organizational changes to effectively monitor and assess needs and achievements on an ongoing basis.

H5.3 **Housing Element Monitoring, Evaluation and Revisions.** The Town will establish a regular monitoring and update process to assess housing needs and

achievements, and to provide a process for modifying policies, programs and resource allocations as needed in response to changing conditions.

Implementing Programs

■H5.C **Conduct an Annual Housing Element Review.** Develop a process for the assessment of Housing Element implementation through annual review by the Ross Planning Department and Town Council. Provide opportunities for public input and discussion, in conjunction with State requirements for a written review by July 1 of each year, as per Government Code Section 65583(3). Based on the review, establish annual work priorities for the Planning Department and Town Council.

Responsibility:	*Planning Department; Town Council.*
Financing:	*Staff time.*
Objectives:	*Annual review of the Housing Element.*
Timeframe:	*Annually in March of each year, prior to the budget cycle.*

■H5.D **Update the Housing Element Regularly.** Undertake housing element updates as needed, including an update to occur no later than June of 2006, in accordance with State law requirements.

Responsibility:	*Planning Department; Town Council.*
Financing:	*Staff time.*
Objectives:	*Comprehensive update of the Housing Element.*
Timeframe:	*June, 2006.*

■H5.E **Support Establishment of a Countywide Housing Assistance Team (HAT).** Support through coordination and other means, as determined appropriate for the Town, the establishment of a Housing Assistance Team who can advise and assist staff in implementing housing programs and facilitating development of partnerships with affordable housing developers for specific projects. The HAT can consist of a pool of specialists with the following specialties: A local architect, an individual with knowledge regarding underwriting housing financing and available funding sources, a local community representative who is knowledgeable about local issues.

Responsibility:	*Planning Department; Town Council.*
Financing:	*Marin County; possible contributions by the Town (Housing Trust Fund).*
Objectives:	*Establishment of HAT to assist in program implementation.*
Timeframe:	*December, 2005; implementation thereafter.*

■H5.F **Support Establishment of a Countywide Housing Data Clearinghouse.** Support through coordination and other means, as determined appropriate for the Town, the establishment of a central housing data clearinghouse, under the Marin County Housing Strategist, with up-to-date information on housing conditions in the County (by jurisdiction), best practices, State law, funding opportunities, and related housing information. Procedures for data collection and tracking will need to be established. The data will provide the following information:

a. Annually monitor and evaluate progress by jurisdiction, including residential building activity by housing type and affordability, indicators of housing need, and progress towards meeting housing element program targets.

b. Provide opportunities for sharing successes in implementing affordable housing programs (photos, project and process description, public handouts, etc.).

c. Serve as a resource library on best practice ideas, funding sources, relevant reports and related resources, etc.

d. Provide a basis for annual reports to HCD, as required by State law.

e. Maintain an up-to-date inventory of all subsidized and deed restricted units by jurisdiction in Marin County.

f. Monitor the relationship between housing and employment development by preparing a study which analyzes recent and anticipated types, numbers and incomes of jobs by industry, sets up an ongoing monitoring program, and develops strategies to further address housing and job linkages.

g. Monitor the availability and cost of rental units, including second units. The purpose of this reporting is to establish a monitoring system to determine the extent of rent increases occurring within a locality relative to other localities.

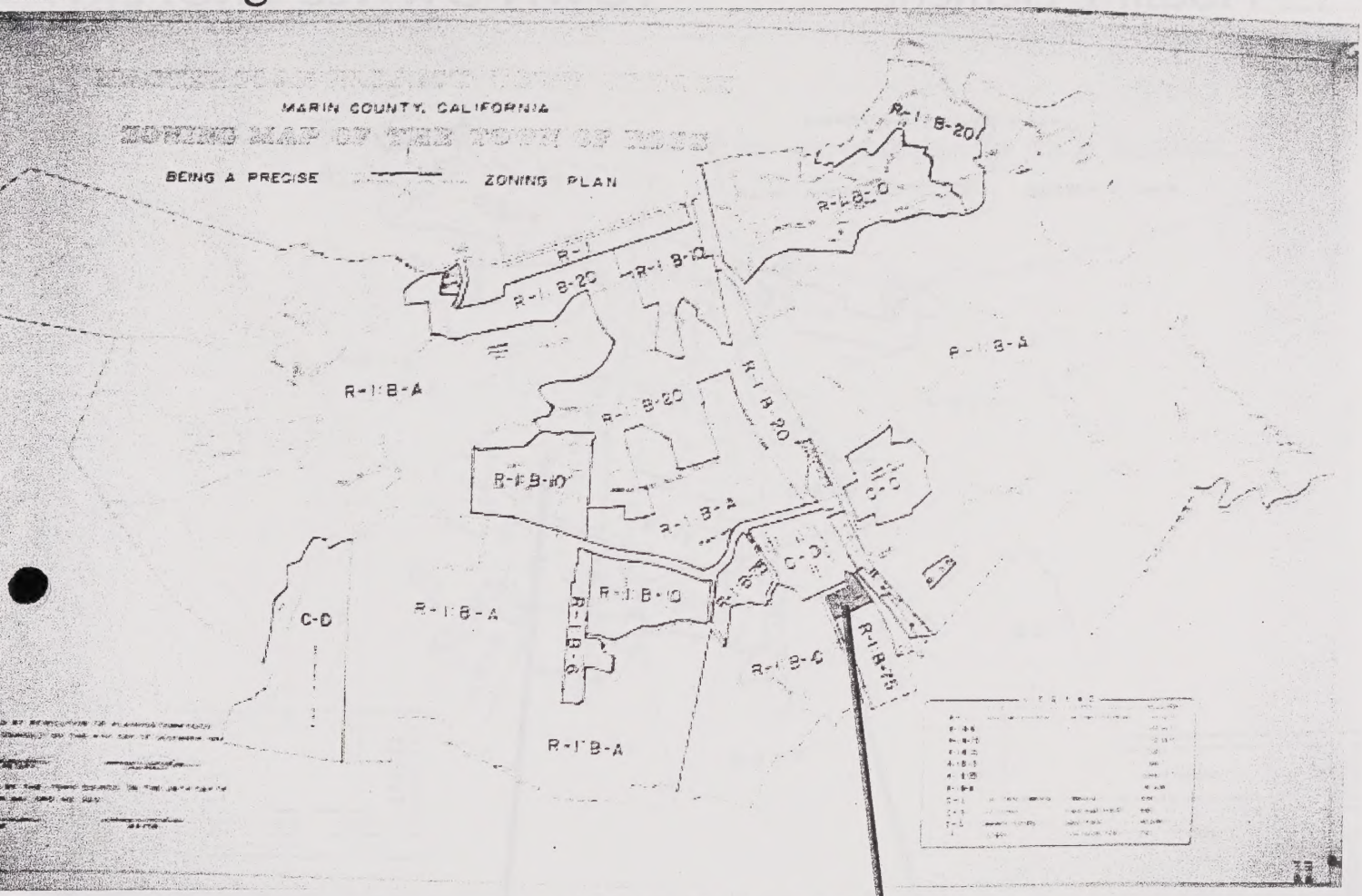
Responsibility: *Planning Department*

Financing: *Marin County; possible contributions by the Town (Housing Trust Fund)*

Objectives: *Establishment of data methodologies; effective data collection and monitoring*

Timeframe: *December, 2005; implementation thereafter.*

Program H3.3D/E
MIXED USE HOUSING

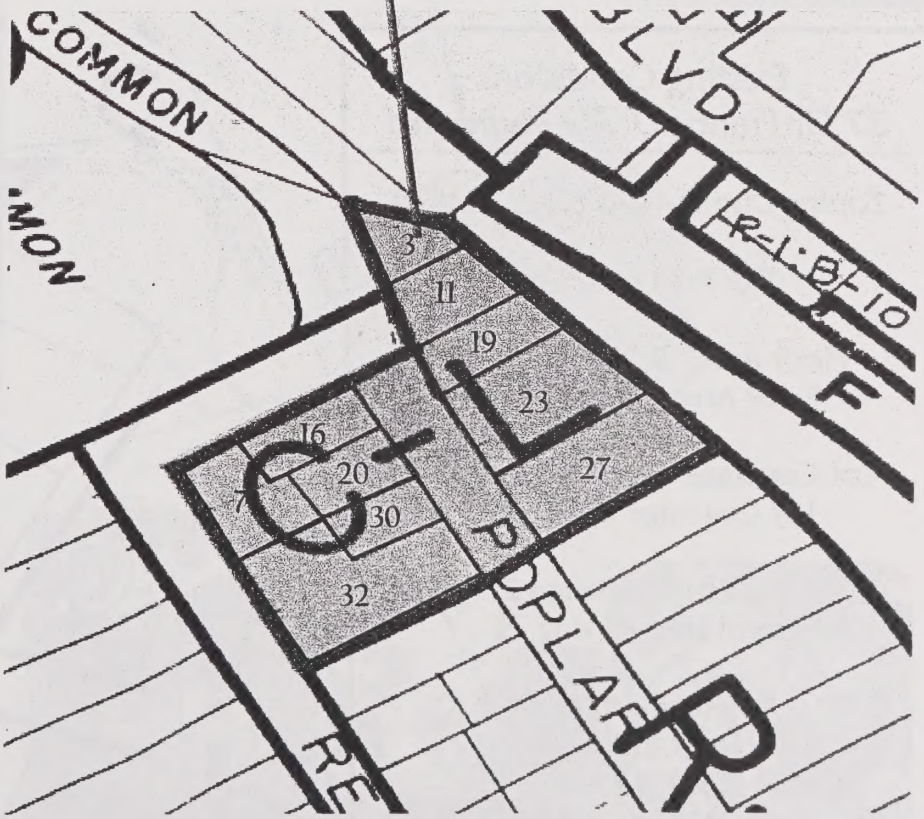


Local Service Commercial

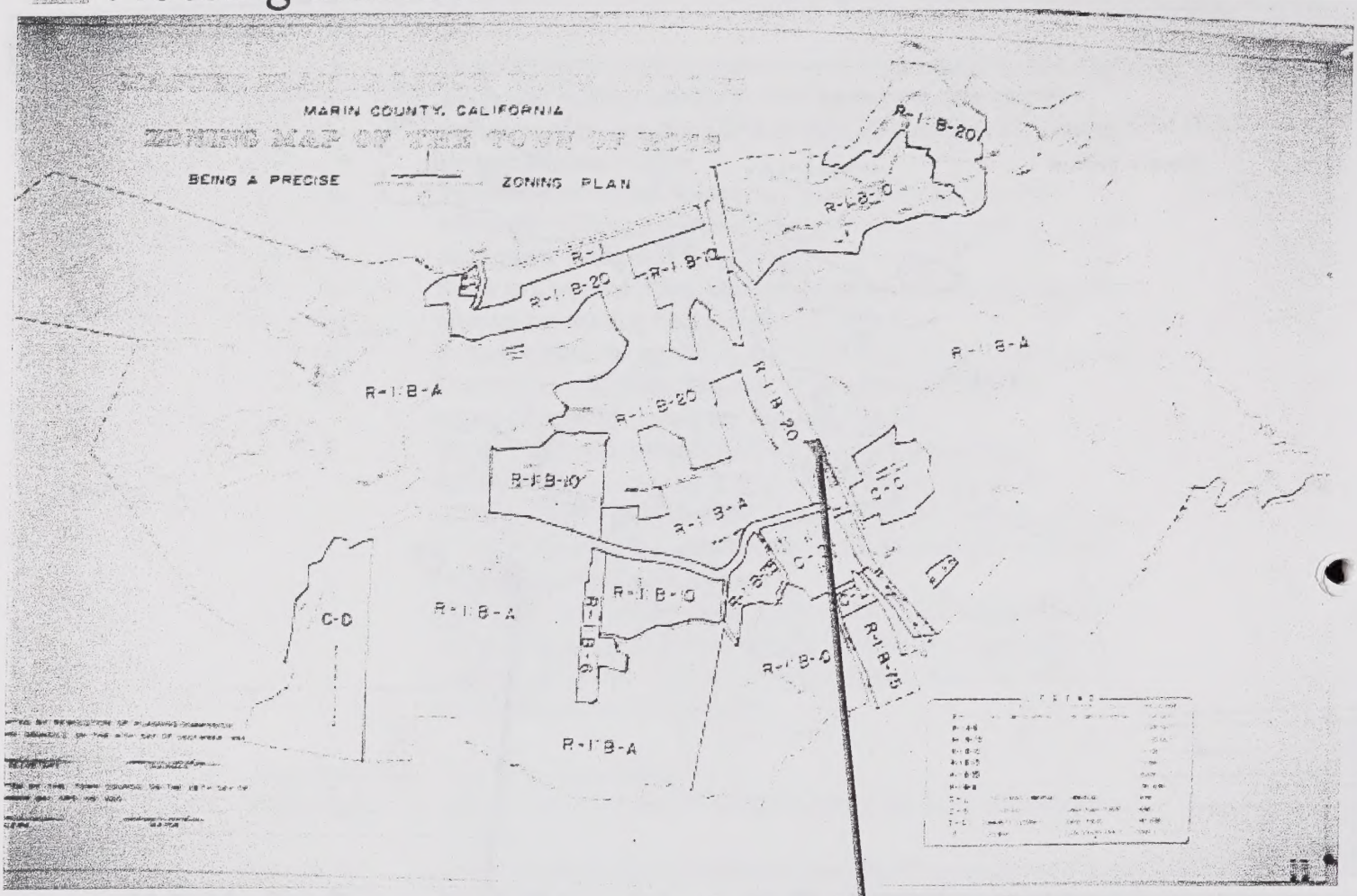
The following properties would be subject to revised Local Service Commercial District zoning requirements allowing a mix of commercial and residential uses:

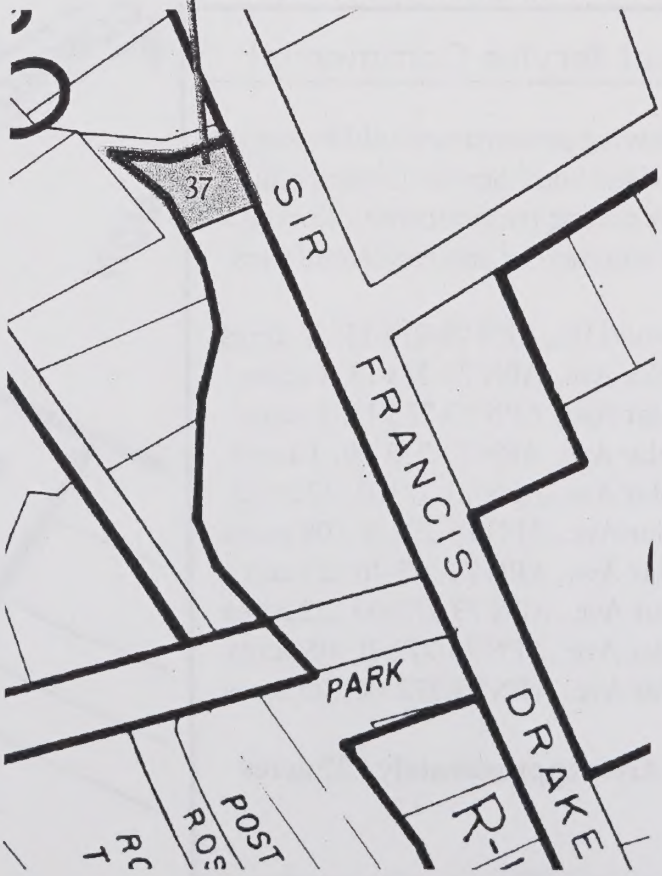
7 Redwood Dr., APN 73-272-15, .12 acres
3 Poplar Ave., APN 73-273-13, .1 acres
11 Poplar Ave., APN 73-273-12, .1 acres
16 Poplar Ave., APN 73-272-09, .1 acres
19 Poplar Ave., APN 73-273-11, .12 acres
20 Poplar Ave., APN 73-272-10, .08 acres
23 Poplar Ave., APN 73-273-10, .22 acres
27 Poplar Ave., APN 73-273-09, .22 acres
30 Poplar Ave., APN 73-272-11, .06 acres
32 Poplar Ave., APN 73-272-06, .25 acres

Total Area: approximately 1.37 acres



Program H3.D
TOWN-OWNED PROPERTIES





Existing Conditions
37 Sir Francis Drake Boulevard

Zoning District - C-D (Civic District)

Site Area - .20 acres

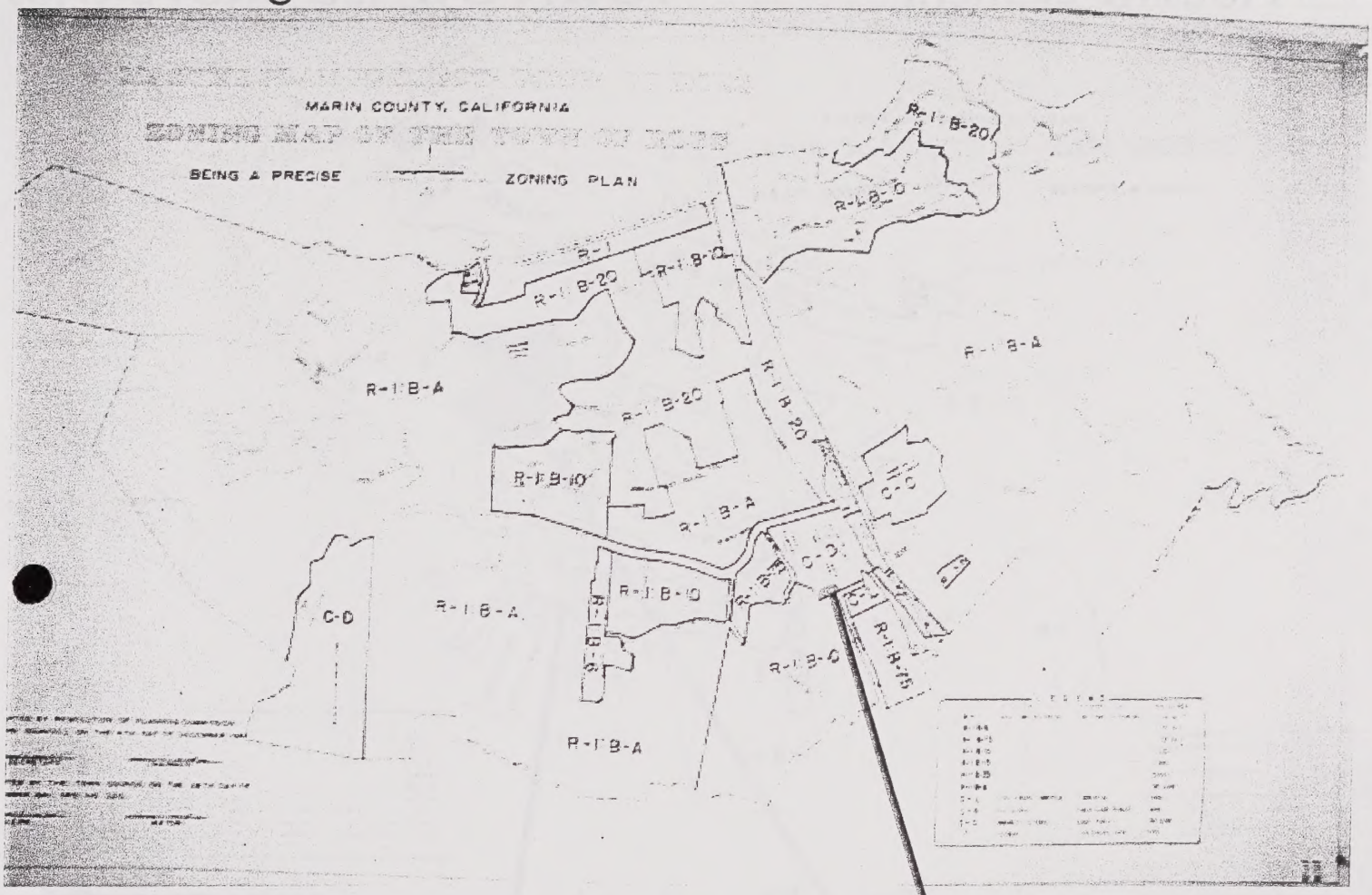
Floor Area - 2,211 Square Feet
Floor Area Ratio - 25.2%

Lot Coverage - 2,333 Square Feet
Lot Coverage % - 26.6%

Covered Parking - 2
Uncovered Parking - 2

Existing Setbacks
Front - 28 Feet
Rear - 13 Feet
Side (North) - 18 Feet
Side (South) - 11 Feet

Program H3.B
Marin Art & Garden Center Site



Existing Conditions
Marin Art & Garden Center

Address
30 Sir Francis Drake Boulevard

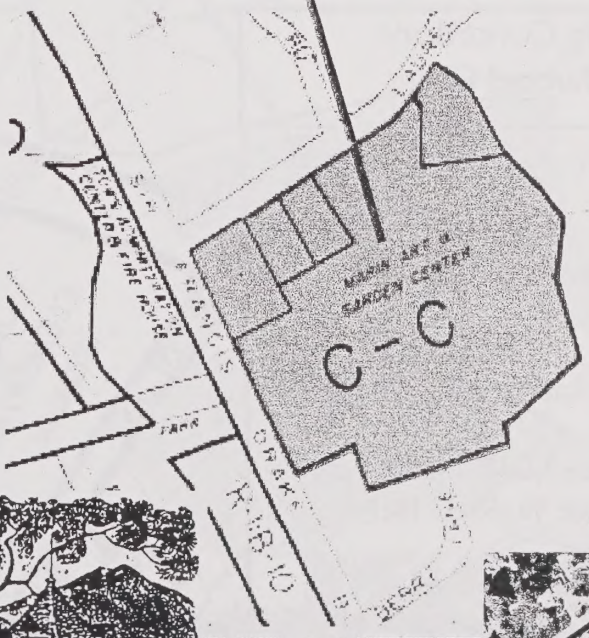
Zoning District
C-C (Community Cultural District)

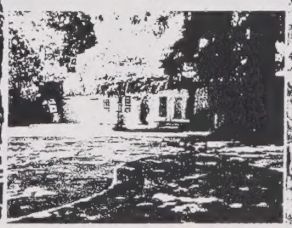
Site Area
10.1 acres

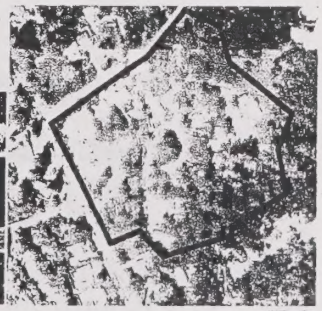
Floor Area
27,277 Square Feet

Floor Area Ratio
6.2%

Parking
140 stalls







Program H3.D
TOWN-OWNED PROPERTIES

Existing Conditions
6 Redwood Drive

Zoning District - C-D (Civic District)

Approximate Site Area - .18 acres
Parcel Area - 4.36 acres

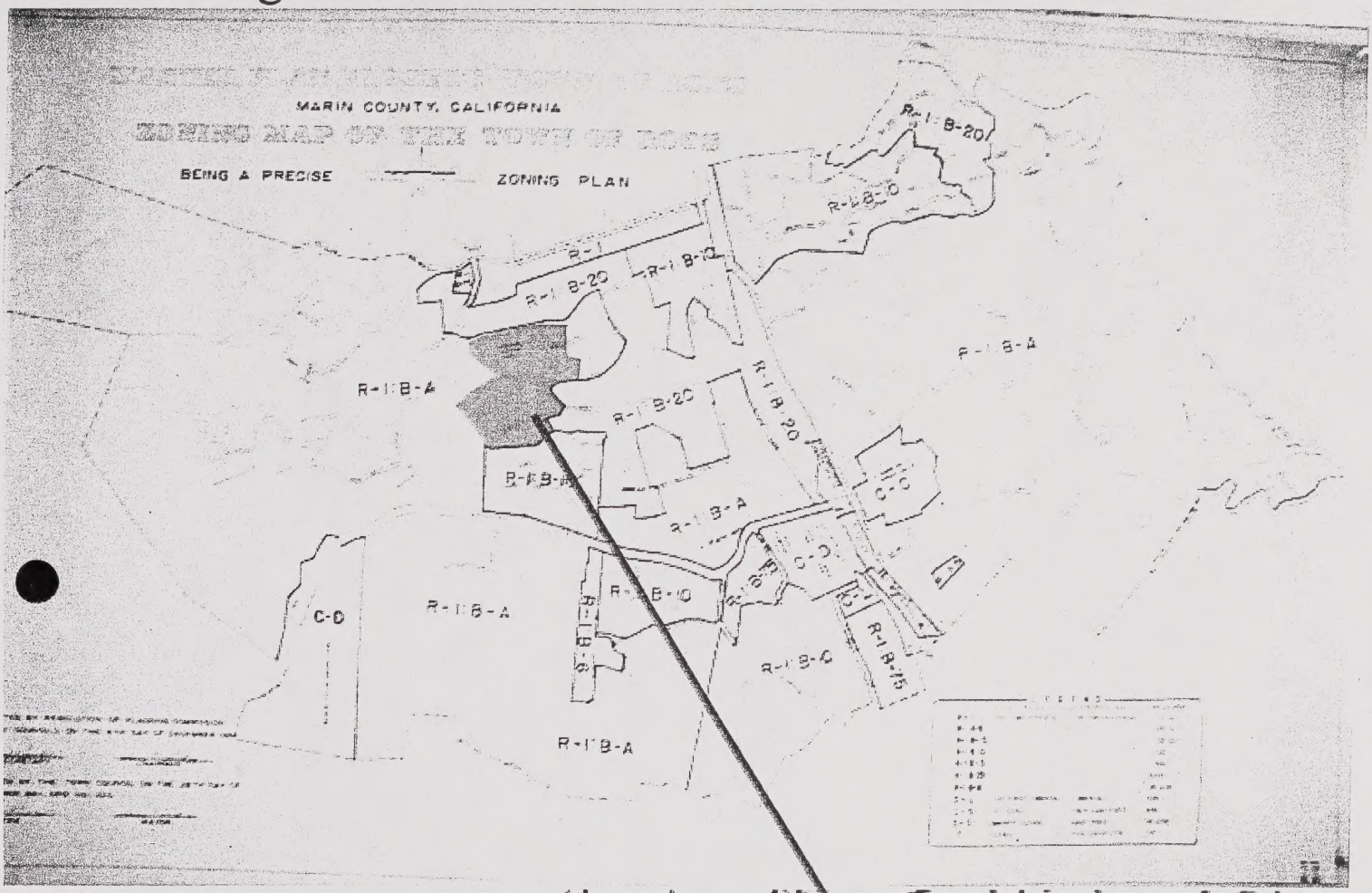
Floor Area - 954 Square Feet
Floor Area Ratio *(Site)* - 11.9%

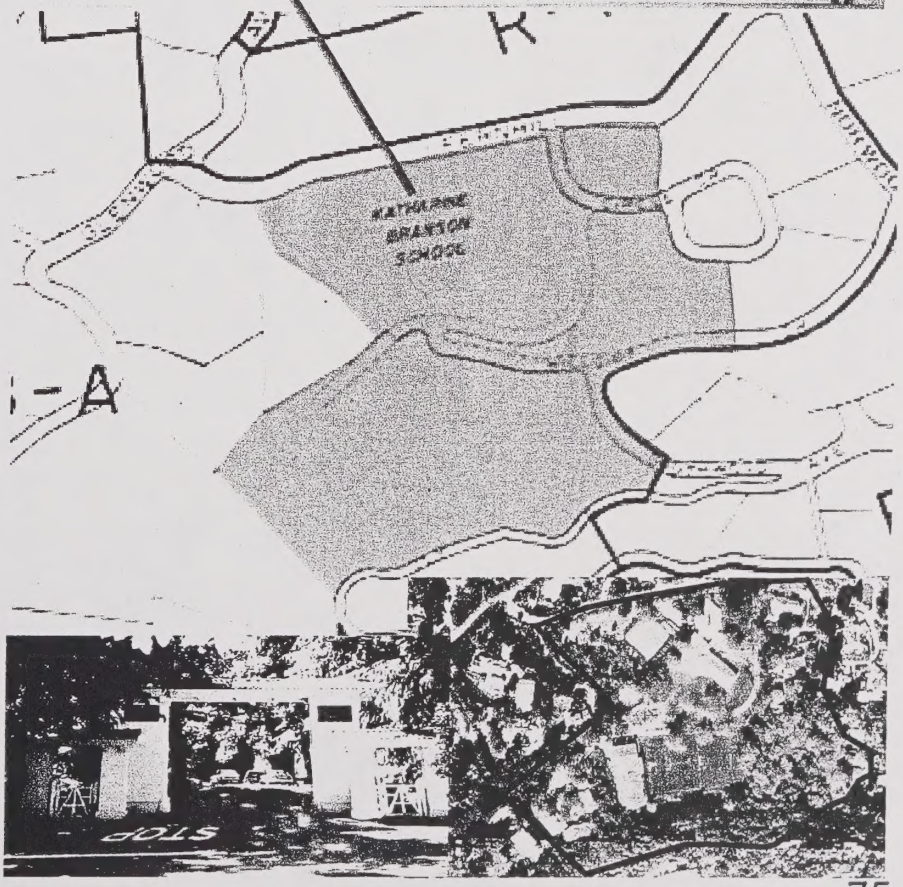
Lot Coverage - 1,048 Square Feet
Lot Coverage % *(Site)* - 13.1%

Covered Parking *(Site)* - 0
Uncovered Parking *(Site)* - 4

Existing Site Setbacks
Front - 45 Feet
Rear - 50 Feet
Side (North) - 21 Feet
Side (South) - 10 Feet

Program H3.C
Katharine Branson School Site





Existing Conditions
Katharine Branson School

Zoning District
R-1:B-A (Single Family Residential)

Site Area - 14.4 acres

Floor Area Ratio - 27.0%

Lot Coverage % - 13.7

Parking - 131 stalls

Existing Residential Units
Crossways 1 - 2BR, 900 Square Feet
Crossways 2 - 1BR, 700 Square Feet
Crossways 3 - 3BR, 1989 Square Feet
New House - 1BR, 712 Square Feet
Hillside - 4BR, 1736 Square Feet
Brookside - 4BR, 1829 Square Feet
71 Fernhill - 4BR, 3000 Square Feet